

Marked Agendas
Approved Minutes
Approved Reports

CITY COUNCIL REPORT



Meeting Date: August 27, 2019
 General Plan Element: Land Use
 General Plan Goal: Create a sense of community through land uses

ACTION

Bottled Blonde
17-UP-2012#4

Request to consider the following:

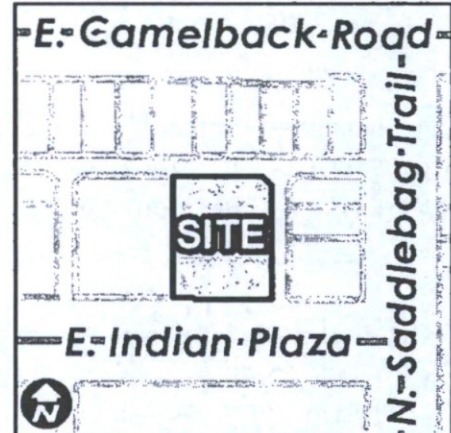
Find the conditional use permit criteria have been met and adopt Resolution No. 11535 for an amendment to an existing Conditional Use Permit for a bar to include a new second floor roof deck addition, for a property located at 7340 E. Indian Plaza with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning.

Goal/Purpose of Request

The applicant requests approval to add a rooftop deck to an existing bar.

Key Items for Consideration

- Conditional Use Permit (CUP) Criteria
- No outdoor live entertainment proposed
- Speakers and televisions proposed on roof deck
- 18-foot high wall along north edge of roof deck proposed to reduce noise trespass on residential to the north
- Public comment in opposition to request received by staff
- Planning Commission heard this case on July 10, 2019 and recommended approval with a 6-1 vote



OWNER

Les Corieri
 480-970-1112

APPLICANT CONTACT

John Mocarski
 LGE Design Build, LLC
 480-966-4001

LOCATION

7340 E. Indian Plaza

BACKGROUND

Old Town Character Area Plan (OTCAP)

The Future Land Use Map of the OTCAP designates this site as Multiple Use Type 2, which encourages a “mix of uses and activities through the development of mutually supportive uses” (Policy LU 2.5).

Zoning

This site is zoned C-2/P-3 DO and P-2 DO. The C-2 district allows for bars subject to approval of a Conditional Use Permit. P-3 and P-2 are parking overlay districts. This establishment has been in operation since 2013; however, a bar has operated at this location in one form or another since 1997.

Context

The property is located on the north side of E. Indian Plaza in the OTCAP-designated Entertainment District and is surrounded by bars of similar intensity. The nearest single-family residence is located approximately 400 feet northeast of the property, and the nearest multi-family residential (apartments) is located approximately 420 feet south of the property. Refer to attached context graphics.

Adjacent Uses and Zoning

- North: Restaurant/Office, zoned C-2/P-3 DO and P-2 DO
- South: Bar, zoned C-2 DO and C-3/P-3 DO
- East: Bar, zoned C-2/P-3 DO and P-2 DO
- West: Retail, zoned C-2/P-3 DO and P-2 DO

Other Related Policies, References:

- Zoning Ordinance
- 17-UP-2012: Approved a CUP for a bar
- 17-UP-2012#2: Approved an amendment to an existing CUP to add indoor/outdoor floor area to an existing bar use
- 17-UP-2012#3: Approved an amendment to an existing CUP to revise the floor plan and add patio space for an existing bar use
- 61-UP-1997: Approved a CUP for live entertainment for a bar
- 61-UP-1997#2: Approved a renewal of an existing CUP (61-UP-1997)
- 61-UP-1997#3: Approved an amendment to an existing CUP to revise the floor plan and add patio space for an existing bar use

APPLICANTS PROPOSAL

Development Information

The applicant seeks approval to add a rooftop deck to an existing bar. The proposal includes a rooftop bar and a 18-foot high sound mitigation wall along the northern edge of the deck. No changes to the indoor floor plan are proposed, other than addition of two staircases for access to the roof deck.

- Existing Use: Bar w/ Live Entertainment
- Proposed Use: Bar w/ Live Entertainment
- Parking Required: 10 spaces (1,975 square feet of deck at 1 space for every 200 square feet)
- Parking Provided: 12 spaces (remote agreement)

IMPACT ANALYSIS

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - This establishment is in an area with uses of similar intensity, including bars and restaurants. The nearest single-family residence is approximately 400 feet northeast of the site and the nearest multi-family residential building is approximately 420 feet south of the site. No live entertainment is proposed on the roof deck and the location has been operating as a bar with live entertainment since 2013. In response to concerns from neighbors regarding noise, the applicant proposes an 18-foot high sound mitigation wall along the northern edge of the roof deck to deflect noise away from the single-family residential to the north. Speakers on the roof deck will only be used to transmit pre-recorded music and sound from televisions. A stipulation requiring speakers on the roof deck to be turned off by 10:00 PM Sunday thru Thursday, and 11:00 PM Friday and Saturday, to protect the multi-family residential to the south was recommended by staff. This requirement was eliminated by the Planning Commission as part of their recommendation for approval. The proposal includes string lighting over the roof deck, which is stipulated to be capped to direct light down to the deck. As stipulated, the proposal is not anticipated to result in any damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **The location has been operating as a bar with live entertainment since 2013 and is surrounded by uses of similar intensity. This area of Old Town is primarily pedestrian-oriented, with some vehicular parking provided on the streets and adjacent to alleys. This request is not anticipated to generate a significant increase in demand on vehicular traffic that would affect existing traffic patterns on surrounding streets.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **This establishment is in an area with uses of similar intensity, including bars and restaurants, and the nearest single-family residence is located approximately 400 feet northeast of the site. The characteristics of the proposed roof deck are reasonably compatible with uses in the surrounding area.**
- C. The additional conditions specified in Section 1.403.C (bar) have been satisfied.
 1. The use shall not disrupt existing balance of daytime and nighttime uses.
 - **This establishment has been operating as a bar with live entertainment since 2013. The addition of a roof deck is not anticipated to disrupt the balance of daytime and nighttime uses.**
 2. The use shall not disrupt pedestrian-oriented daytime activities.
 - **This area of Old Town is occupied primarily by bars with varying hours of operation. The addition of a roof deck is not anticipated to disrupt pedestrian-oriented daytime activities.**
 3. If the site is located within the downtown overlay district, then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - **No retail uses will be displaced as a result of this request.**
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
 - **The applicant has secured an Assurance for Remote Parking Agreement with another property in the area (4430 Civic Center, LLC) for the use of 12 remote spaces. The remote parking is located within 600 feet of the establishment.**
 4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.

- b. The use shall provide methods of buffering residential uses.
 - **This establishment is located within 400 feet of a single-family residence and within 420 feet of a multi-family residential building. No live entertainment is proposed on the roof deck that might adversely impact residential uses and the establishment has operated as a bar with live entertainment since 2013. Additionally, speakers on the roof deck will only be used to transmit pre-recorded music and sound from televisions. A stipulation requiring speakers on the roof deck to be turned off by 10:00 PM Sunday thru Thursday, and 11:00 PM Friday and Saturday, to protect the multi-family residential to the south was recommended by staff. This requirement was eliminated by the Planning Commission as part of their recommendation for approval. Finally, the proposal includes an 18-foot high sound mitigation wall along the northern edge of the roof deck to deflect noise away from the residential to the north.**
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
 - **An amended Security, Maintenance and Operations (SMO) Plan has been reviewed and approved by the Police Department. Conditions of the SMO will be enforced by the City's Code Enforcement Division and the Police Department.**
6. The applicant shall create a written exterior refuse control plan for approval by the City.
 - **A written exterior refuse control plan was included as part of the amended SMO approved by the Police Department.**
7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
 - **The proposal includes an 18-foot high sound mitigation wall along the northern edge of the roof deck to deflect noise back in toward the Entertainment District and away from the residential to the north. Additionally, speakers on the roof deck will only be used to transmit pre-recorded music or sound from televisions. A stipulation requiring speakers on the roof deck to be turned off by 10:00 PM Sunday thru Thursday, and 11:00 PM Friday and Saturday, to protect the multi-family residential to the south was recommended by staff. This requirement was eliminated by the Planning Commission as part of their recommendation for approval. No live entertainment is proposed on the roof deck. The proposed string lighting over the deck and existing external lighting is compatible with the lighting in the area.**
8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
 - **The addition of a 1,975 square foot roof deck results in an increase in required parking of 10 spaces. The applicant has secured an Assurance of Remote Parking**

lease for 12 spaces with another property owner in the area (located within 600 feet of the establishment).

9. After hours establishments must maintain a valid after-hours establishment license.

- **No after-hours activities are proposed as part of this application.**

Public Safety

A revised Security, Maintenance and Operations Plan has been reviewed and approved by the Police Department.

Liquor License Review

This establishment has been operating under an existing Series 6 liquor license (95-LL-2013) since 2013. The Police Department has indicated no opposition to the proposed amendment.

Community Notification

Property owners within 750 feet of the site have been notified and the site is posted with the required signage. Staff has received correspondence from residents in the area expressing concerns about noise.

OTHER BOARDS & COMMISSIONS

Planning Commission:

Planning Commission heard this case on July 10, 2019. After a presentation by staff, Commissioners discussed the issue of noise in the area. It was suggested that noise is more of a global issue in this area of Old Town, not an issue specific to this establishment. The Commission cited the existing bars that essentially surround this establishment and contribute equally to the overall noise levels in the area. It was determined that this establishment should not be singled out and subject to a timing stipulation for the speakers on the roof deck. A motion to recommend approval, with elimination of the timing stipulation for operation of speakers on the roof deck, passed by a vote of 6-1.

Staff's Recommendation to Planning Commission

Staff recommended that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval of an amendment to an existing Conditional Use Permit for a bar to include a new second floor roof deck addition, for a property located at 7340 E. Indian Plaza with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning, per the attached stipulations.

RECOMMENDATION

Recommended Approach:

Find the conditional use permit criteria have been met and adopt Resolution No. 11535 for an amendment to an existing Conditional Use Permit for a bar to include a new second floor roof deck addition, for a property located at 7340 E. Indian Plaza with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning.

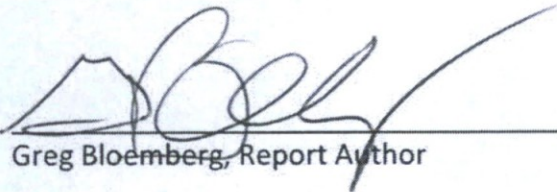
RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

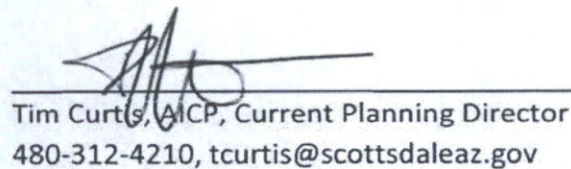
Greg Bloemberg
Senior Planner
480-312-4306
E-mail: gbloemberg@ScottsdaleAZ.gov

APPROVED BY



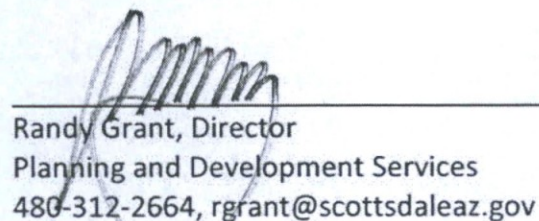
Greg Bloemberg, Report Author

7-24-19
Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

8/2/2019
Date

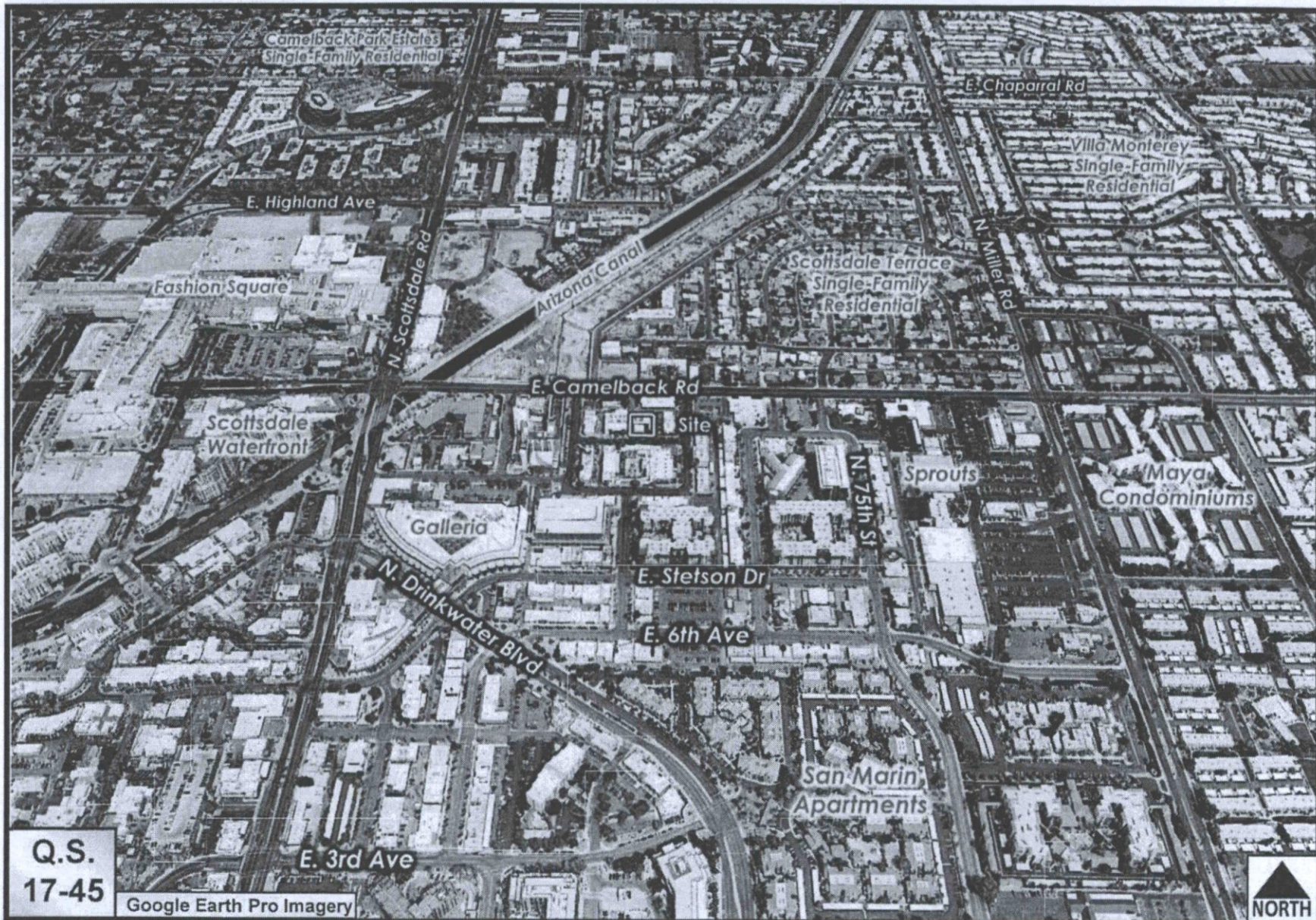


Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

8/6/19
Date

ATTACHMENTS

1. Context Aerial
2. Resolution No. 11535
 - Exhibit 1: Aerial Close-Up
 - Exhibit 2: Stipulations
 - Exhibit A to Exhibit 2: Floor Plan
 - Exhibit B to Exhibit 2: Site Plan
 - Exhibit 3: Additional Conditions
3. Applicant's Narrative
4. Zoning Map
5. Security, Maintenance and Operations Plan
6. Citizen Involvement
7. City Notification Map
8. July 10, 2019 Planning Commission Minutes



Q.S.
17-45

Context Aerial

17-UP-2012#4

RESOLUTION NO. 11535

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, FOR AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT FOR A BAR, TO INCLUDE A NEW SECOND FLOOR ROOF DECK ADDITION, AT AN EXISTING +/-16,480 SQUARE-FOOT SPACE LOCATED AT 7340 E. INDIAN PLAZA WITH CENTRAL BUSINESS DISTRICT, PARKING DISTRICT, DOWNTOWN OVERLAY (C-2/P-3 DO AND P-2 DO) ZONING.

WHEREAS, the Planning Commission held a public hearing on July 10, 2019; and

WHEREAS, the City Council held a public hearing on August 27, 2019

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on Exhibit 2 will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and
- c) that compliance with the additional conditions for bars, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 17-UP-2012#4. The property that is subject to the conditional use permit is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in Exhibits 2 and 3. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2019.

ATTEST:

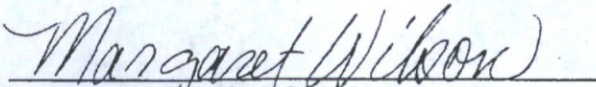
CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



Joe Padilla, Acting City Attorney

By: Margaret Wilson, Senior Assistant City Attorney



Close-up Aerial

Resolution No. 11535
Exhibit 1
Page 1 of 1

17-UP-2012#4

Conditional Use Permit – Bar
Stipulations
LiveWire Renovation
Case Number: 17-UP-2012#3 4

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

Strikethrough text with all capital letters in Stipulation No. 10 eliminated by Planning Commission

GOVERNANCE

1. APPLICABILITY. The stipulations from this case, 17-UP-2012#~~34~~, supersede all stipulations from case 17-UP-2012#~~23~~. Stipulations from case 17-UP-2012 shall continue to apply, except as amended below.

OPERATIONS

2. CONFORMANCE TO THE CONCEPTUAL FLOOR PLAN. The interior layout of the premises shall be in substantial conformance with the conceptual floor plan provided by LGE Design Group, with the city staff date of ~~5/2/17~~ 4/4/19, attached as Exhibit A to Exhibit 2. Any significant change to the conceptual floor plan as determined by the Zoning Administrator shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan provided by LGE Design Group, with the city staff date of ~~5/2/17~~ 4/4/19, attached as Exhibit B to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
4. NO LIVE ENTERTAINMENT. This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request. Refer to case 61-UP-1997#4.
5. NO AFTER HOURS. No after-hours activities at this establishment (after 2:00 AM) are approved as part of this request.
6. HOURS OF BAR OPERATIONS. The hours of bar operations for this establishment shall be limited to:

	Open to Customers	Close to Customers
Sunday	9:00 11:00 AM	2:00 AM
Monday	3:00 PM	2:00 AM
Tuesday	3:00 PM	2:00 AM
Wednesday	3:00 PM	2:00 AM

Thursday	3:00 PM	2:00 AM
Friday	3:00 PM	2:00 AM
Saturday	9:00 11:00 AM	2:00 AM

7. PUBLIC SAFETY PLAN (PSP). The operations of the bar shall conform to the PSP approved by, and on record with the City of Scottsdale's Police Department and the Planning and Development Services Division. A copy of the approved PSP shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the PSP to the Scottsdale Police Department and the Planning and Development Services Division. At least ten (10) days before any operational change of the bar, or any promotional event (excluding Special Events), that modifies the requirements or contents of the PSP, the owner shall submit a revised PSP to the Scottsdale Police Department and the Planning and Development Services Division. Any revised PSP shall be subject to approval by the City of Scottsdale's Police Department and the Planning and Development Services Division. Where there is a conflict between the provisions of a Security, Maintenance and Operations Plan and the provisions of a PSP, the provisions that establish the higher standard of protection for public health and safety shall prevail.
8. SECURITY, MAINTENANCE AND OPERATIONS PLAN (SMO). The operations of the bar shall conform to the revised SMO Plan approved by, and on record with, the City of Scottsdale's Police Department and the Planning and Development Services Division. A copy of the approved SMO shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update to the SMO Plan to the Scottsdale Police Department and the Planning and Development Services Division. At least 10 days before any operational change for the bar, or any promotional event (excluding Special Events), that modifies the requirements or content of the SMO Plan, the owner shall submit a revised SMO Plan to the Scottsdale Police Department and the Planning and Development Services Division. Any revised SMO Plan shall be subject to approval by the Scottsdale Police Department and the Planning and Development Services Division.
9. NOISE. In addition to the City's Noise Ordinance (Ordinance No. 3192, Article II, Chapter 19 of the Scottsdale Revised Code), noise generated from this use, including any speakers or other amplification equipment, shall not exceed ambient noise levels consistent to the use and the character of the area during hours of operation, as determined by the Zoning Administrator, or designee. Amplified music shall be limited to the times that State law allows liquor sales at this bar.
- ~~10. EXTERNAL SPEAKERS. The proposed external speakers on the balcony, roof deck and patio shall not only be used to broadcast live entertainment transmit pre-recorded music or sound from televisions and shall be directed inward toward the establishment. ALL SPEAKERS ON THE ROOF DECK SHALL BE TURNED OFF BY 10:00 PM, SUNDAY THRU THURSDAY, AND 11:00 PM FRIDAY AND SATURDAY.~~
11. ROOF DECK. An 18-foot high wall shall be constructed along the north edge of the roof deck to deflect noise away from the single-family residential to the north. Additionally, the railing for the roof deck shall angle inward and if necessary, include a shelf for patrons to minimize the potential for objects to fall on pedestrians walking on the sidewalk below.

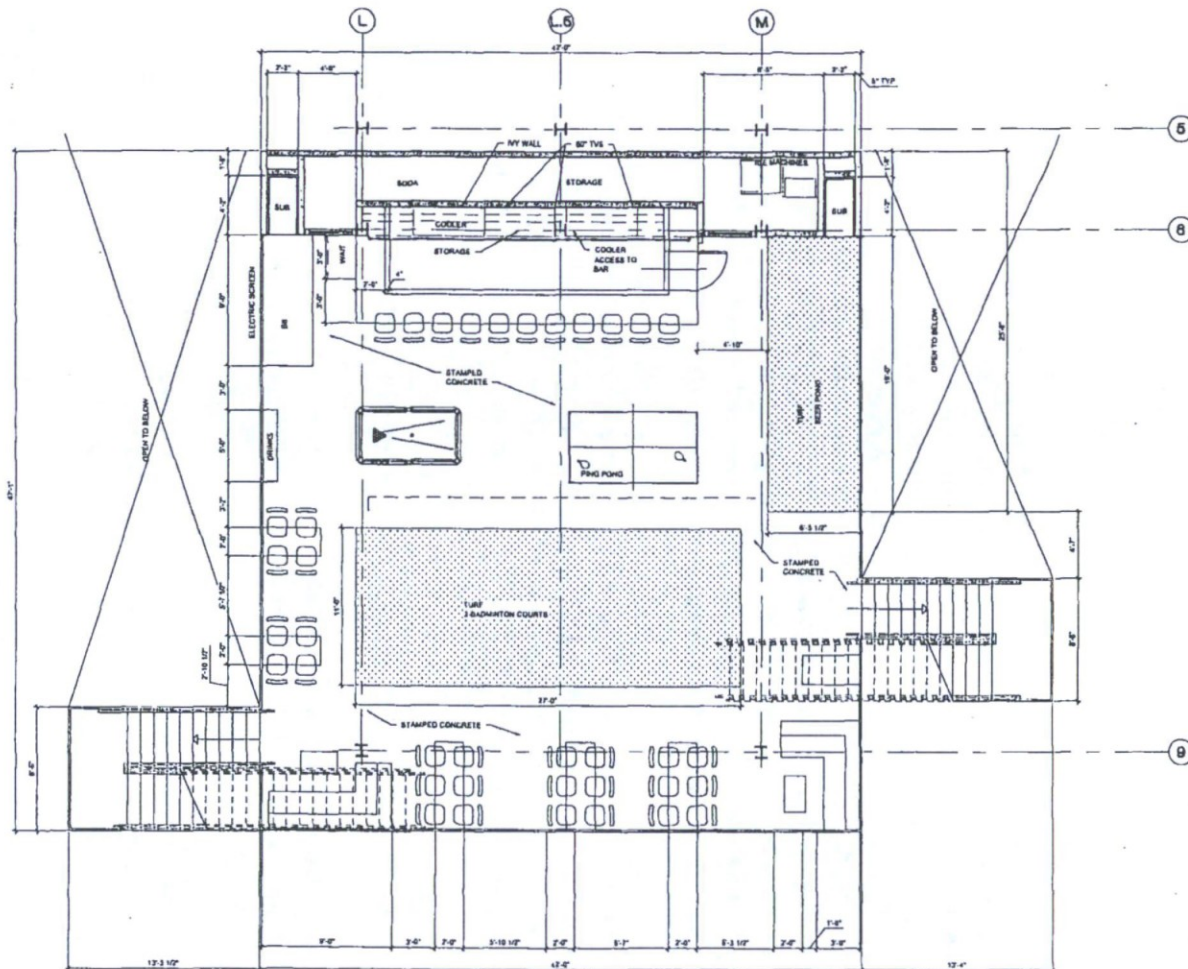
12. **LIGHTING.** String lighting on the roof deck shall include caps over all bulbs to direct lighting down to the deck.
13. **PRIVATE IMPROVEMENTS IN THE RIGHT-OF-WAY (PIR) AGREEMENT.** Prior to issuance of any permits associated with the roof deck, the property owner shall enter into a PIR Agreement with the City for the proposed staircase that extends into the public right-of-way.
14. **PEDESTRIAN CIRCULATION.** A minimum clear sidewalk width of fourteen feet shall be maintained between the external staircase and the street curb.
15. **EXTERNAL DOORS.** All external doors shall be closed but not locked during business hours.

PARKING

16. **MINIMUM PARKING.** The site shall be required to provide parking, as required by the Zoning Ordinance, through on-site parking, off-site parking, in-lieu parking spaces, or any combination thereof, at all times. Failure to provide required parking for the use, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.
17. **PARKING ASSURANCE AGREEMENT(S).** ~~If the owner or operator chooses to utilize off-site parking to satisfy the parking requirement for the use, the owner or operator shall enter into a parking assurance agreement in a form satisfactory to the city.~~ In addition to any existing remote parking assurance agreements, the owner shall enter into a remote parking assurance agreement for a minimum of 12 spaces for the proposed roof deck, in a form satisfactory to the City. Thirty (30) days before the expiration of any assurance agreement, the owner or operator shall submit a new assurance agreement to the Zoning Administrator, or designee, subject to city review and approval. Inability of the owner or operator to obtain the required parking under an assurance agreement, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.

ADMINISTRATIVE/PROCESS

18. **CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW.** Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
19. **CHANGES IN OWNERSHIP.** Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.



1 OVERALL FLOOR PLAN
SCALE: 1/4" = 1'-0"

SHEET NOTES:

- A. REFER TO THE CS SERIES SHEETS FOR ARCHITECTURAL GENERAL NOTES, DIMENSIONS, REFERENCE AND MATERIAL SYMBOLS, ABBREVIATIONS, AS WELL AS DIMENSIONING CONVENTIONS USED ON THIS SHEET.
- B. FOR BASIC LIFE SAFETY AND CODE INFORMATION APPLYING TO THIS PROJECT, REFER TO THE IGA SERIES SHEETS LOCATED FOR THE PROJECT SHEET INDEX.
- C. REFER TO THE AS 1-X SERIES SHEETS FOR THE REFLECTED CEILING PLANS.
- D. REFER TO THE AS 1-X SERIES SHEETS FOR PARTITION SYSTEM TYPES AND DETAILS.
- E. REFER TO THE AS 1-X SERIES SHEETS FOR INTERIOR FINISH INFORMATION.
- F. REFER TO THE AS 1-X SERIES SHEETS FOR THE INTERIOR OPENING SCHEDULES, TYPES, AND DETAILS.

LGE DESIGNGROUP
740 N. 52nd Street • Phoenix, AZ • 85008
P: 480.966.4001

BOTTLED BLONDE SCOTTSDALE ROOFTOP PATIO

7340 E INDIAN PLAZA
SCOTTSDALE, AZ 85251

LGE DESIGNGROUP

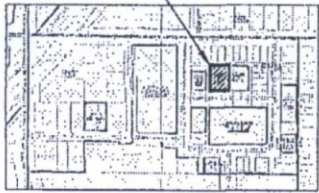
REVISION DATE

SHEET TITLE
OVERALL FLOOR PLAN
DATE
25-04-2019
DRAWN BY: HC
CHECKED BY: JAO
PROJECT NO.
SHEET:

A2.1.1

17-UP-2012#4 & 61-UP-
1997#5
04/04/2019

PROJECT LOCATION



VICINITY MAP

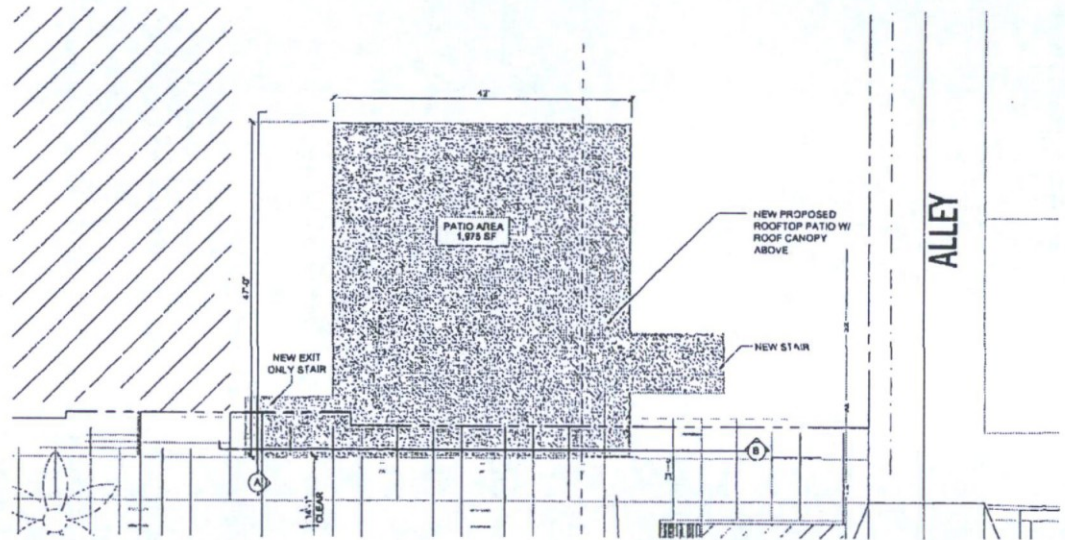


PARKING CALCULATIONS

EXISTING PARKING TO REMAIN

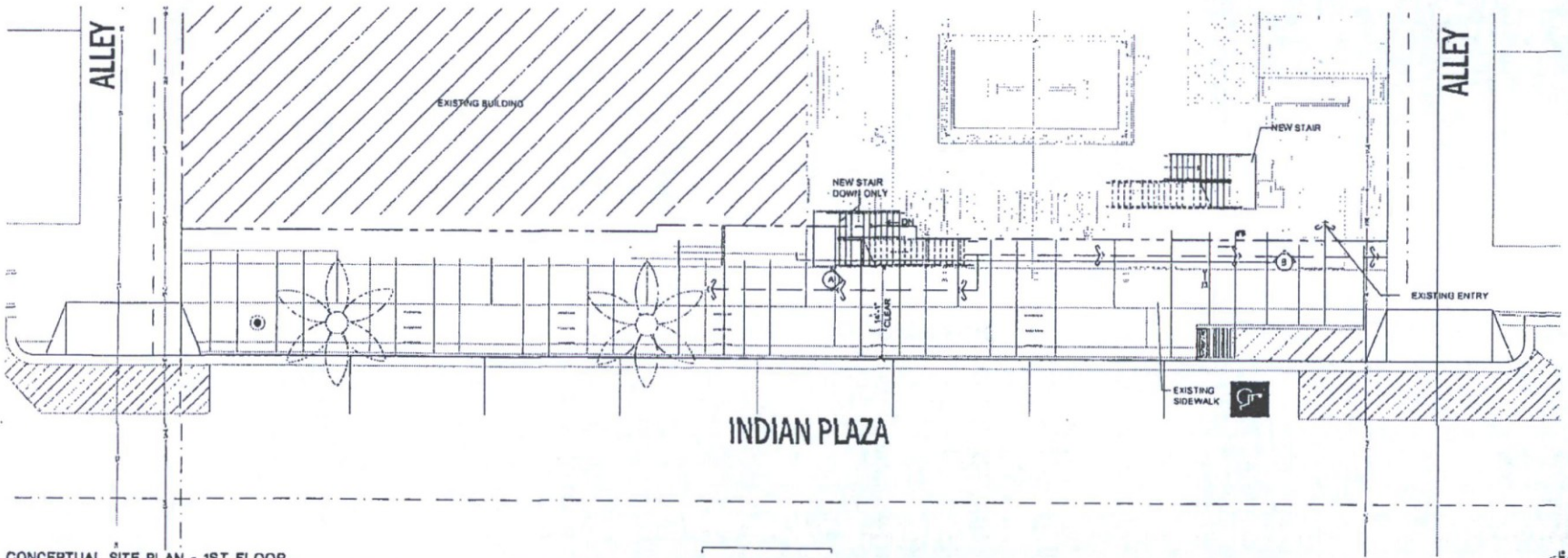
REQUIRED
1875 / 200 - 9.875 SPACES

12 SPACES HAVE BEEN PROVIDED
PER ASSURANCE TO CITY OF REMOTE PARKING DATED 03/30/2019



CONCEPTUAL SITE PLAN - 2ND FLOOR

SCALE: 1/4" = 1'-0"



CONCEPTUAL SITE PLAN - 1ST FLOOR

SCALE: 1/4" = 1'-0"

Resolution No. 11535
Exhibit B to Exhibit 2
Page 1 of 1

LGE DESIGNGROUP
740 N. 52nd Street • Phoenix, AZ • 85008
P. 480.565.4001

BOTTLED BLONDE SCOTTSDALE ROOFTOP PATIO

7340 E. INDIAN PLAZA
SCOTTSDALE, AZ 85251

LGE DESIGNBUILD

NUMBER REVISION DATE

SHEET TITLE

OVERALL SITE PLAN

ISSUE DATE 02-04-2018

DESIGN BY: JG

CHECKED BY: JG

PROJECT NO. 212

SHEET:

A1.1.1

C.

Bars, cocktail lounges, and/or after hours establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.
2. The use shall not disrupt pedestrian-oriented daytime activities.
3. If the site is located within the Downtown Overlay District D-O then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - b. The use shall provide methods of buffering residential uses.
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
6. The property owner shall create a written exterior refuse control plan for approval by the City.
7. The property owner shall demonstrate how noise and light generated by the use shall be mitigated.
8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.
9. After hours establishments must maintain a valid after hours establishment license.

Date: 04/01/2019
Project: Bottled Blonde Rooftop Addition
RE: Conditional Use Permit Submittal Narrative

The attached submission is for an addition to Bottled Blonde Scottsdale, currently located on 3740 E Indian Plaza Scottsdale, AZ 85251. Bottled Blonde Rooftop has been an established business which initiated the initial revitalization of the neighborhood. The addition is approximately 1,900 square feet of outdoor space above the existing bar exterior patio foot print. The overall aesthetics are to match the existing features of the current bar. Existing hardscape will not be altered.

Sec. 1.403 (C.1.) C.1 Bars, Cocktail Lounges, And/Or After-Hours Establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.

Response: The uses is not changing the existing uses of the property there for shall not effect the existing balance of daytime and nighttime uses.

2. The use shall not disrupt pedestrian-oriented daytime activities.

Response: The pedestrian-oriented daytime activities shall remain unchanged 14'-0" clear at the sidewalk has been provided.

3. If the site is located within the downtown overlay district D-O then:

- a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.

Response: The proposed addition shall not effect surrounding daytime retail since its hour of operations are from 3pm-2am Monday through Friday and 11am – 2am on sat and Sunday.

- b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.

Response: The required parking spaces have been purchased through an assurance to city for remote parking agreement. See attached assurance to the city agreement dated 03/20/2019

4. If the use is located within five hundred (500) feet of a residential use or district then:

- a. The use shall not adversely impact residential uses.

Response: The existing use has not changed and complies with this requirement.

b. The use shall provide methods of buffering residential uses.

Response: The directionality of light and sound is to the commercial uses across the street away from the closest residential area.

5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.

Response: A security plan has been included with our CUP submittal.

6. The property owner shall create a written exterior refuse control plan for approval by the City.

Response: The exterior refuse is remaining as is, no changes to this area.

7. The property owner shall demonstrate how noise and light generated by the use shall be mitigated.

Response: This is a current use that is being expanded. The light and sound being generated by this location is directed away from the nearest residential area. A photometric plan has been submitted with our CUP.

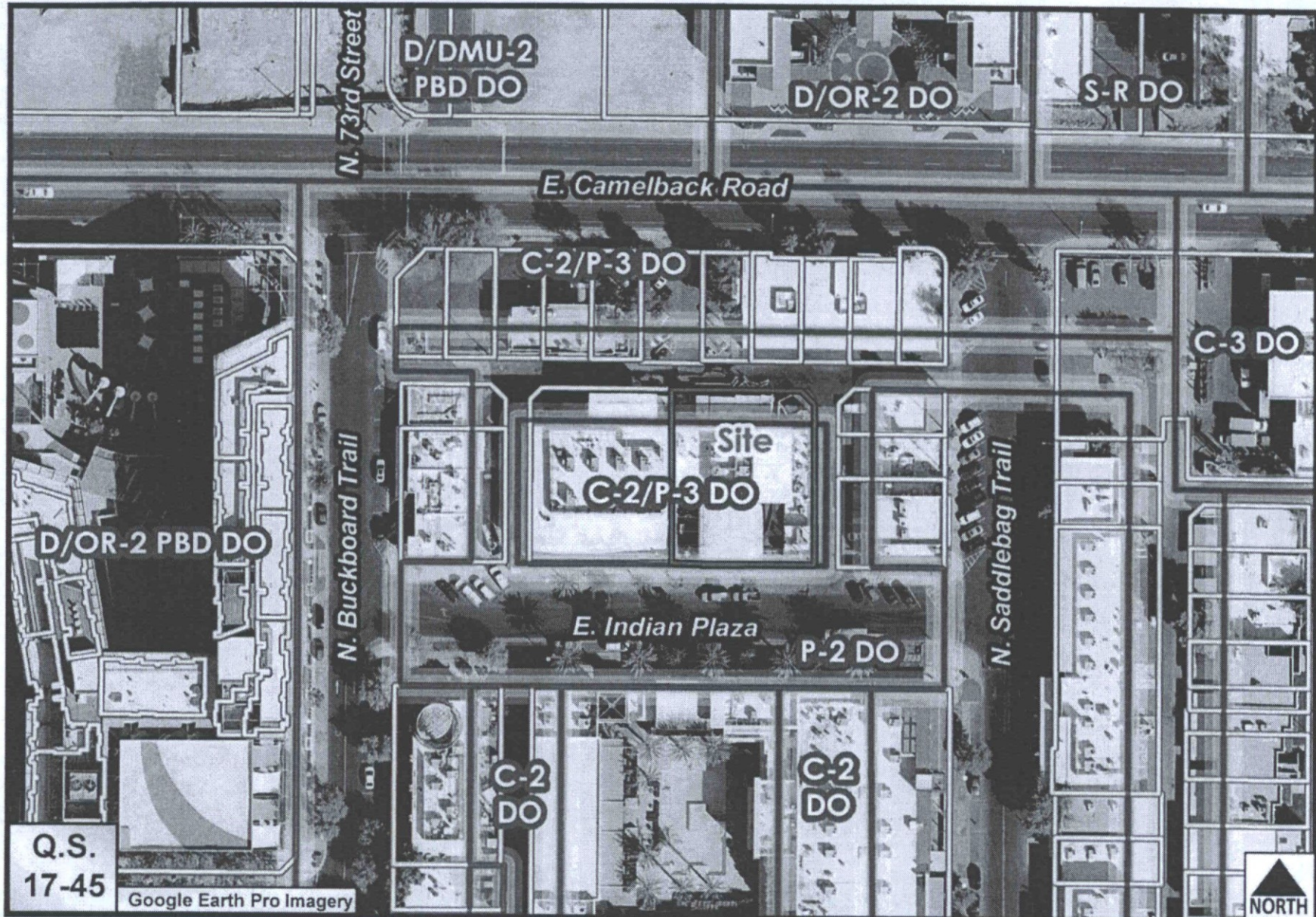
8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.

Response: Property shall comply with article IX and shall not exceed the capacity for traffic in the area. See attached assurance to the city agreement dated 03/20/2019

9. After hours establishments must maintain a valid after-hours establishment license.

Response: License shall continue to be maintained to run the addition and existing property.

The addition will not have any live entertainment. No application narrative required.



Zoning Aerial

ATTACHMENT 4

17-UP-2012#4

Instructions for Security, Maintenance, and Operations Plans

Follow these steps for Review and Approval

Scottsdale Police Department Liquor Investigations

Step 1

Prepare Your Security, Maintenance, and Operations
Plan (SMO Plan)

Step 2

Send a Copy of Your SMO Plan to the Scottsdale Police
Department.

Detective John Miller

480.312.8333

JohMiller@scottsdaleaz.gov

Step 3

Contact Police Detective to Discuss Your Plan.

Step 4

Meet with Police Detective, If Necessary.

Step 5

Submit your reviewed plan to Scottsdale Planning and
Development.

17-UP-2012#4 & 61-UP-
1997#5
04/04/2019

SECURITY, MAINTENANCE AND OPERATIONS PLAN

For Bars and Live Entertainment Use Permits



Scottsdale Police Department, 3700 North 75th Street, Scottsdale, AZ 85251

480.312.5000

FAX 480.312.7701

City of Scottsdale Planning, 7447 E. Indian School, Scottsdale AZ 85251

480-312-7000

FAX 480-312-7088

Assigned Planner:

GREG BLOMBERG

Police Detective:

JOHN MILLER

Establishment:

Bottled Blonde

Address:

7340 E Indian Plaza, Scottsdale AZ 85251

Business Phone:

480-970-1112

Business FAX:

480-970-1166

Maximum Occupancy:

329 before 10 / 431 after 10 / Rooftop TBD

Effective Date of the Plan:

03/27/2019

Date of Plan Review:

~~060119~~ 051519 Jgm

Use Permit Issue Date:

Liquor License Number:

06070055

Contact Person (1):

Charlie Brooks

Home Phone:

602-367-2276

Contact Person (2):

AJ Jimenez

Home Phone:

805-746-9500

Jgm

Purpose of the Plan

To address security measures, maintenance/refuse and operations for an establishment whose use shall require a Security Plan pursuant to Scottsdale Revised Codes. These uses typically include a Bar Use Permit and a Live Entertainment Use Permit. The contents of this plan will address the listed concerns as well as community concerns regarding:

- Any significant increase in vehicular or pedestrian traffic, including effects on parking, traffic and circulation in the area.
- Adequate control of disruptive behavior both inside and outside the premises to include property damage and refuse issues.
- Compatibility with surrounding structures and uses.

It is the intent of the City of Scottsdale to provide an environment that enhances the safeguarding of property as well as public welfare and to limit the need for law enforcement involvement.

The Permittee agrees that successful execution and enforcement of this Plan are a required condition of the use permit. Termination, cancellation, deviation or non-approval of the Plan constitutes a breach of the Plan and could result in the revocation of the use permit.



Operations and Hours

1. Permittee: 7340 LLC dba Bottled Blonde
 Type of Organization: ☐ Arizona Corporation ☐ Corporation
☐ Sole Proprietorship ☒ LLC
☐ Partnership ☐ Other
2. Managing Agents Name: Dicor Mgmt & Design LLC (Les Corieri)
 Title: Managing Member
 Address: 7340 E Indian Plaza, Scottsdale AZ 85251
 Phone Numbers: 480-970-1112
 Fax or Other Numbers: 480-970-1166
3. Business Owner(s) (if different than Managing Agent) Name, Address, Phone: Les Corieri - same as above
Shawn Yari (Monili LLC) 4501 N Scottsdale Rd., Scottsdale AZ 85251 (602)748-8888
4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone:
LMS 96 LLC, 7340 E Indian Plaza, Scottsdale AZ 85251 (480)970-1112
5. Hours of Operation:

	<u>Peak/Non-Peak Night</u>	<u>Open to Customers</u>	<u>Liquor Sale Begin</u>	<u>Liquor Sale Ends</u>	<u>Closed to Customers</u>
Monday	Non-Peak	3pm - 2am	3pm	2am	2am
Tuesday	Non-Peak	3pm - 2am	3pm	2am	2am
Wednesday	Non-Peak	3pm - 2am	3pm	2am	2am
Thursday	Peak	3pm - 2am	3pm	2am	2am
Friday	Peak	3pm - 2am	3pm	2am	2am
Saturday	Peak	11am - 2am	11am	2am	2am
Sunday	Non-Peak	11am - 2am	11am	2am	2am

6. Promotional Events: *(Attach an addendum which describes week to week promotional events you plan to have throughout the year i.e. "Ladies night." Do not include special events)*
7. Program Format/Entertainment/Advertising: *(Complete for Live Entertainment Use Permit Only. Attach addendum that describes*

Jgm

entertainment format i.e. DJ, Live music, Comedy acts etc.) See Scottsdale Revised Code – Appendix B, Zoning Ordinance for definitions.

8. Special Events:

Permittee must give notice to City of Scottsdale Planning and Development at least forty-five (45) days prior to conducting Special Events on the premises. "Special Events" are any program formats varying from the regular format and audiences described or provided above organized or planned by Permittee. Scottsdale requires separate licenses for outdoor special events.

9. Cooperation/Complaints/Concerns:

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses:

7340 E Indian Plz

Name: AJ Jimenez Address: Scottsdale, AZ 85251 Phone: 805-746-9500

Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Scottsdale Police, City of Scottsdale Code Enforcement staff or other City staff as well as business and residential neighbors in addressing and investigating complaints, criminal acts, refuse issues and any other concerns.

Security and Maintenance

Security Attire

Security personnel must be readily identifiable to police, patrons, and other employees to ensure the safety of the security staff when engaged with patrons. Security personnel should wear an appropriate styled shirt with the word "security" on both the front and back, in two (2) inch lettering and clearly visible. During cold weather, a jacket with the same inscription should be worn.

The use of radios should be employed between security staff and management when the size of the establishment limits communication efforts.

Security Officer Responsibilities

The Permittee or management must clearly delineate the below responsibilities to all new security personnel and ensure these responsibilities are explained and understood.

Civilian Security Officers will be responsible for patrolling the full property of the liquor establishment during all hours when patrons are in the establishment, outside the establishment, and in the establishment parking areas.

On peak nights, there will be a minimum of 14 uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

1. 11 Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
2. 2 Security officer(s) will be responsible for checking identifications at the front door. Acceptable identification are those listed in Arizona Revised Statutes Title 4, section 241A and apply to patrons accessing any area of the licensed premises, including the time period of After-Hours, if applicable. Additional responsibilities shall include: access control, counting of patrons, and prevention of intoxicated persons from entering the business.
3. 1 Security officer(s) will be responsible for conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.

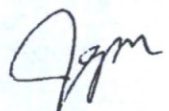
In addition, security officers will report all acts of violence to management personnel, complete a written report, log the act of violence, and contact Scottsdale Police Department immediately. Liquor establishment management and/or ownership has the ultimate responsibility for the recording of the act of violence, logging of the act of violence, and reporting the act of violence to the police department and the State Department of Liquor Licenses.

Management Responsibilities

The Permittee must clearly delineate the below responsibilities to all managers, assistant managers, and person(s)-in-charge and ensure these responsibilities are understood and followed.

The manager(s) shall ensure that all employees, security staff and off-duty officers (if applicable) be trained and knowledgeable about the contents of this plan. The following shall be agreed upon and adhered to:

1. There will be a minimum of 3 manager(s) available during peak nights.
2. There shall be a general manager and one assistant manager on duty all hours while open for business and for thirty minutes after closing.
3. A manager shall be identified as the "Security Manager" for the establishment and be responsible for ensuring that a safe environment exists; for the supervision of all security personnel and that all security personnel as identified here shall meet or exceed the requirements established by A.R.S. 32-2621 through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulation issued pursuant thereto.
4. At least one security manager will be on duty until one hour after closing or the last security officer is off duty, whichever occurs last.



Unarmed Sworn Officer Responsibilities:

If Off-duty law enforcement is used for security, it is the responsibility of the Permittee or management to clearly delineate the following responsibilities, which include at a minimum the following:

1. Conduct traffic control as needed.
2. Assist civilian security officer(s) in removal of disorderly and/or intoxicated guests and maintain the peace outside the establishment.
3. If necessary, patrol the exterior portions of the business to maintain the peace as well as prevent criminal acts.
4. If a valet is utilized, maintain the peace in the area of the valet.
5. Assist Security Officers with maintaining order in the entrance line and assist in discovery of underage patrons attempting admittance.

- ☐ I plan to hire _____ officer(s) during peak nights from (name of agency) _____.
- ☒ I do not plan to hire off-duty law enforcement.

Parking

In order to reduce criminal activity that negatively affects the nearby businesses, the Permittee is responsible for the designated parking area to include any lots used by the Permittee's contracted valet company. It is the Permittee's responsibility to ensure that parking areas utilized by patrons and employees will be routinely patrolled by security staff so parking areas are not used: as a gathering place; for consumption of spirituous liquor; for violations of state or city law; for acts of violence, or disorderly conduct. Management will ensure that all patrons have left the parking areas within thirty minutes after the designated closing time.

If valet is used, it is the Permittee's responsibility to ensure the valet company meets all the requirements of the City of Scottsdale and has a valid valet license and permit prior to conducting valet business.

Refuse Plan

It is the Permittee's responsibility to ensure refuse containers are properly used and the area in and around the business is kept clean. Failure to do so will result in an investigation and possible citation from the City of Scottsdale Code Enforcement or other governmental agencies.

At closing, management will be responsible for refuse pick-up and any appropriate cleaning, for any refuse found within a 300 foot (three hundred) radius of the business. This will also include patron parking lot(s), valet parking lot(s) and employee parking lot(s). All bottles, trash, bodily fluids or secretions and refuse found on streets, sidewalks, private property, and empty lots within the above designated areas will be placed in the refuse container or cleaned appropriately.



Enforcement of Security Plan

Violations of this Security Plan will be enforceable by City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of applicable use permits relating to the establishment.

Violation, amendment, revocation, as defined in Scottsdale City Zoning Code Sec. 1.402.

Conditional use-permits, which have been approved by the City Council, shall be subject to the following procedures and criteria regarding any violation, amendment, or revocation.

- The violation of any condition imposed by the conditional use permit shall constitute a violation of this ordinance and shall be subject to the requirements of Section 1.1400 et seq.
- Conditional uses shall be developed in conformance to the approved plans as determined by the Zoning Administrator. An amendment to a conditional use permit is required before implementation of any material change in the scope and nature of an approved conditional use, material change in any conditions or stipulations to a conditional use permit or material change in the physical size, placement or structure of property subject to a conditional use permit. The Zoning Administrator shall have the discretion to determine if a proposed change warrants an amendment. An amendment must be approved as provided in Section 1.400 et seq. for the approval of conditional use permits.
- The Zoning Administrator may recommend to the City Council and the City Council may affect revocation of a conditional use permit pursuant to Section 1.402 of the Scottsdale Zoning Code for acts including but not limited to:
 1. A violation of the Plan.
 2. Violation of the conditions of the Use Permit.
 3. Violation of Scottsdale ordinances or law.
 4. Repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, or failure to report acts of violence
 5. Failure of the Permittee to take reasonable steps to protect the safety of persons entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known of such acts of violence or altercations.
 6. Any enlargement or expansion of the premises, plan of operation or program format without appropriate approval from the City.
 7. Misrepresentations or material misstatements of the Permittee, its agents or employees.

Jgm

Dissemination of the Security Plan

- A copy of this security plan must be provided to each security officer and off-duty sworn law enforcement officer as well as the manager(s) and assistant manager(s) employed by the permittee.
- A reading log will be maintained and will be signed by each of the above persons, stating they have read and understood this plan. Each security employee must read the plan once per year, or when there are any changes to the plan.
- A current copy of this plan will be maintained on the premises at all times, and a copy of this plan must be made available upon request of any code enforcement officer or police officer.
- Failure to conform to this plan will be considered a violation of the use permit.

Termination of the Plan

This plan shall terminate when the applicant's Use Permit terminates.

Enclosures

☒ Addendums attached

PSP APPROVED 012418 Jgm

~~☐ No enclosures~~ Jgm

APPLICANT/MANAGEMENT:

Name: AJ Jimenez

Address: 7340 E Indian Plaza, Scottsdale AZ 85251

Phone: 805-746-9500

Date: 03/27/2019

Signature: AJ Jimenez

APPROVED BY:

Detective:

Phone:

Date:

Signature:

CDR JOE LEOC

480-312-8803

060419

for J. Miller

Jgm

March 18, 2019

RE: Conditional Use Permit:

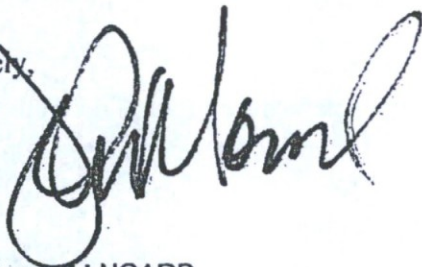
Project: Bottled Blonde Rooftop - Scottsdale
7340 E Indian Plaza, Scottsdale, AZ 85251

Dear Area Property Owner/ Home Owners Association:

This letter is being sent to notify you of a Conditional User Permit application filed with the City of Scottsdale Planning Division. LGE Corporation is requesting a Conditional Use Permit for Bottled Blonde Rooftop at 7340 E Indian Plaza, Scottsdale Arizona. The second floor addition to the site is a 1,975 S.F. (0.045 acre) on top of the existing patio exterior footprint. The Pre-application number 61-UP-97 #4 and 17-UP-12 #3. Currently zoned C-2. If you have any questions and or comments please feel free to contact the following:

John Mocarski, Project Director / Registered Architect at LGE Design Group by phone at 480-966-4001 or by email at Johnm@lgedesigngroup.com or Greg Bloemberg, Planner, City of Scottsdale by phone at 480-312-4306 or by email at gbloemberg@scottsdaleaz.gov.

Sincerely,



John Mocarski NCARB
Project Director / Registered Architect

O: 480.966.4001
M: 480.650.1590

740 N. 52 St., Phoenix, AZ 85008



Bloemberg, Greg

From: Steve <sriek4455@aol.com>
Sent: Thursday, April 04, 2019 9:53 AM
To: Bloemberg, Greg
Subject: Re: Bottle Blond addition

Greg
Thanks for getting back on this. Received a call from Les (Bottle Blond). Had a nice conversation regarding the "state of the state". Have less concerns now about his rooftop. He seems to be aware of the noise situation and contends they are not the " biggest" offender - and I take him at his word.
He admits there is an issue.
I wonder where we go from here.....

Steven Rieck
920.360.9474

> On Apr 4, 2019, at 8:31 AM, Bloemberg, Greg <GBLO@scottsdaleaz.gov> wrote:
>
> Good morning, Steve.
>
> Thank you for the feedback. The application has not been formally submitted, but that is anticipated to occur today. I will see to it your comments are added to the file.
>
> To answer your question, yes there is a noise ordinance. Click on the link below and scroll down to Chapter 19.
>
> https://library.municode.com/az/scottsdale/codes/code_of_ordinances
>
> Let me know if I can be of any further assistance.
>
> Regards,
>
> Greg Bloemberg
> Senior Planner
> Current Planning
> City of Scottsdale
> e-mail: gbloemberg@scottsdaleaz.gov
> phone: 480-312-4306
>
> -----Original Message-----
> From: Steve <sriek4455@aol.com>
> Sent: Thursday, April 04, 2019 8:19 AM
> To: Bloemberg, Greg <GBLO@Scottsdaleaz.gov>
> Subject: Bottle Blond addition
>
> Greg
> We live at 4422 N.75th St, unit 7002. We are not happy with the noise we currently experience coming from the area at night as it is now. We think that the main source is Bottle Blond. I certainly would not want to see them open up a second floor to only add to our problem.
> Is there a noise ordinance for the area of Scottsdale?

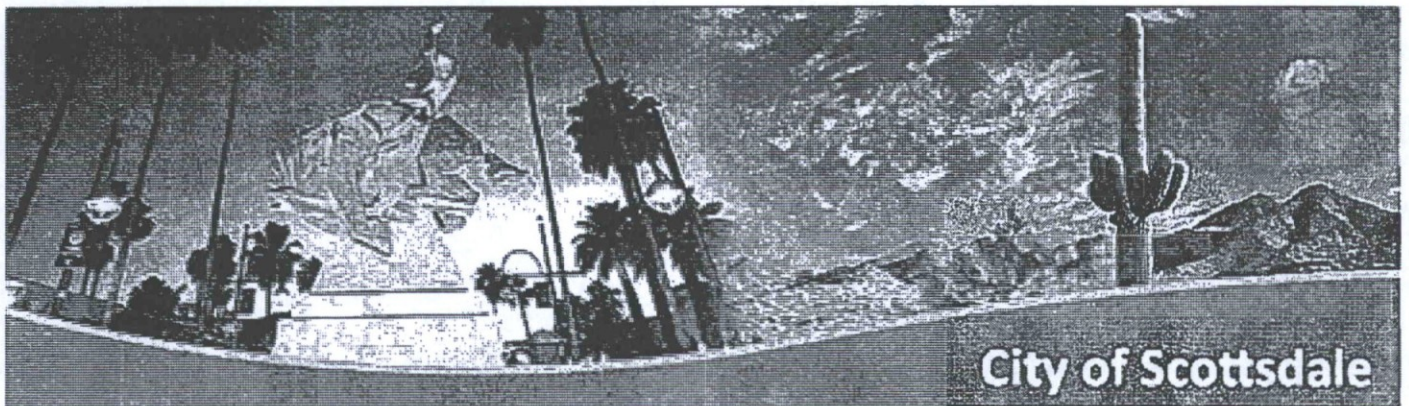
> Please reply
> Thanks
>
> Steven Rieck
> 920.360.9474

Bloemberg, Greg

From: Acevedo, Alex
Sent: Tuesday, April 16, 2019 2:45 PM
To: Bloemberg, Greg
Subject: FW: CASE 17-UP-2012#4

Saved in the CDS folder.

From: sally.settle@outlook.com <sally.settle@outlook.com>
Sent: Tuesday, April 16, 2019 2:41 PM
To: Acevedo, Alex <AAcevedo@scottsdaleaz.gov>
Subject: CASE 17-UP-2012#4



I am writing to object to this rooftop patio proposition. I already am kept up awake at night sometimes from the noise until 2AM from the rooftop bar at The W Hotel when the weather permits me to have my windows open at night. The police and the city do not seem to enforce the noise limitations set on that venue, so I would believe that this new rooftop venue would have the same latitude in producing excessive noise after 10pm. I have spoken to neighbors that said they quit calling about the W noise because it does no good. I wish the city would give the taxpaying homeowners the quiet enjoyment that we deserve. I bought a house over a mile away from the entertainment district on purpose, but it's not far enough due to lack of city enforcement of existing noise regulations. Please do not approve this, or any other outdoor rooftop entertainment venues with music after 10pm. Sally Settle 7714 E Pasadena Ave Scottsdale -- sent by Sally J Settle (case# 17-UP-2012#4)



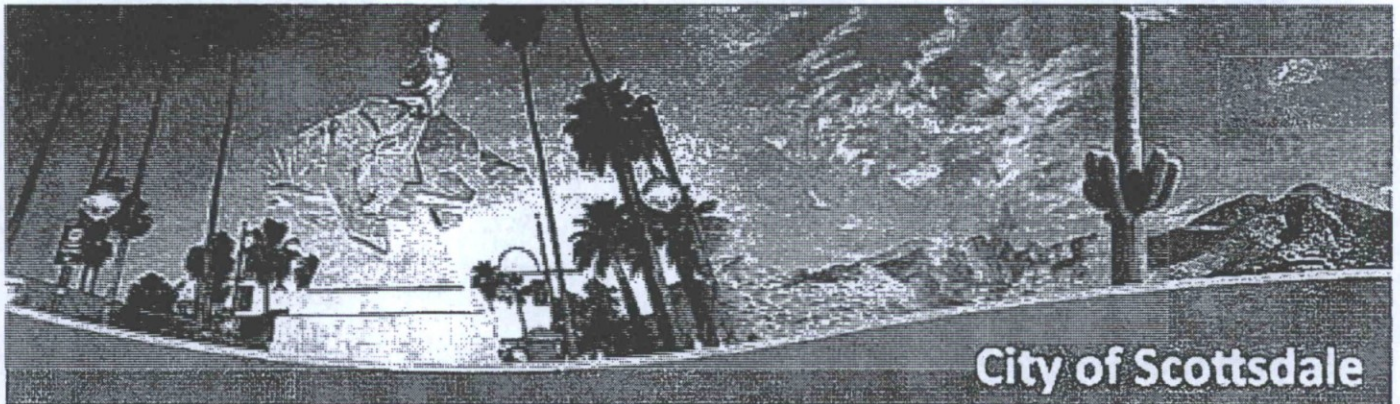
© 2019 City of Scottsdale. All Rights Reserved.

Bloemberg, Greg

From: Acevedo, Alex
Sent: Wednesday, April 17, 2019 8:25 AM
To: Bloemberg, Greg
Subject: FW: CASE 61-UP-1997#5

I saved it in the CDS folder

From: rsurface51@gmail.com <rsurface51@gmail.com>
Sent: Tuesday, April 16, 2019 4:38 PM
To: Acevedo, Alex <AAcevedo@scottsdaleaz.gov>
Subject: CASE 61-UP-1997#5

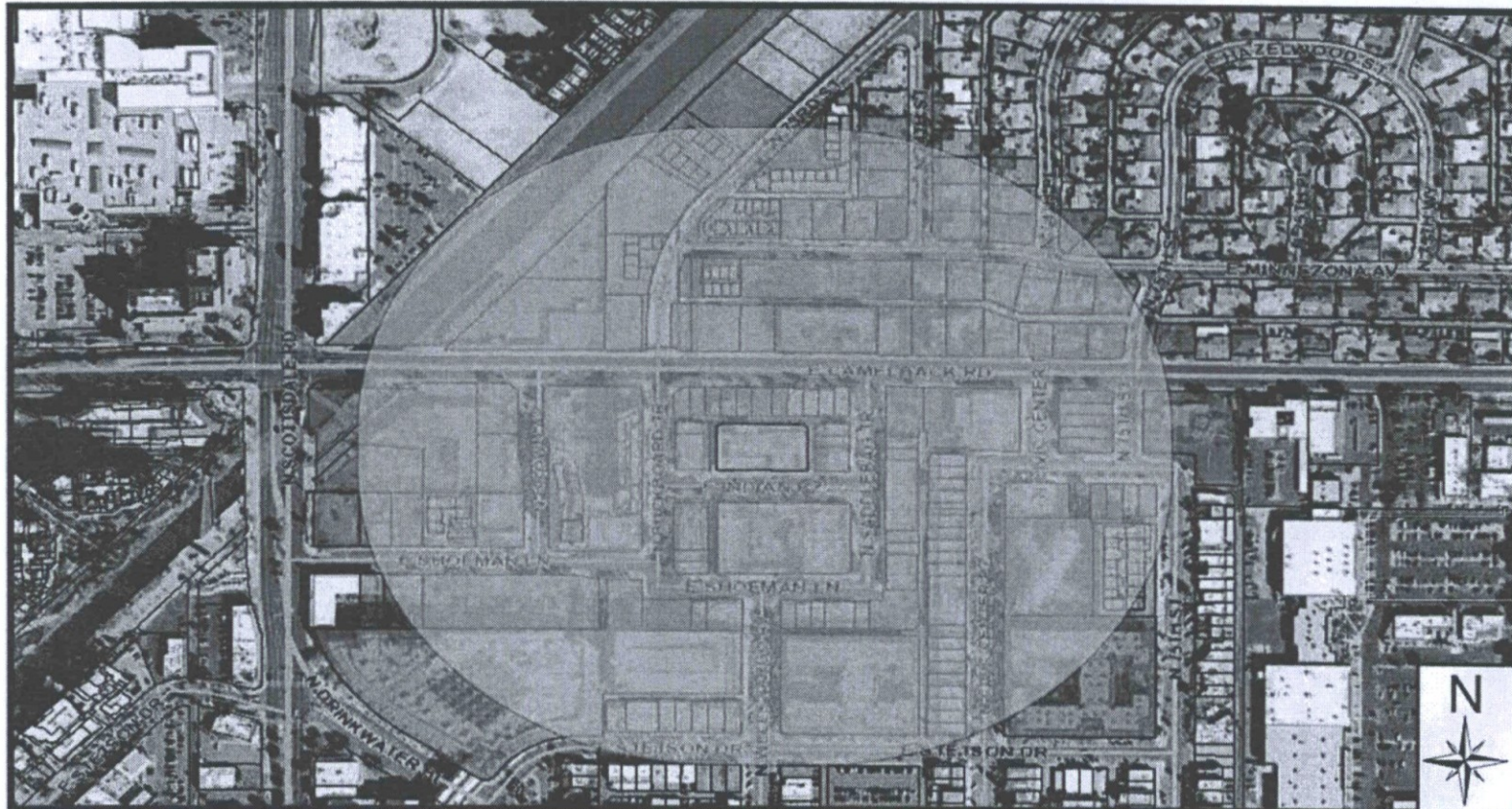


I strongly oppose any more outdoor music venues in that area. They are encroaching upon established neighborhoods, and negatively impacting quality of life. The existing venues are already stretching the limits, trying to play music as late and as loud as possible. I know of several residents who have complained about the loud music, and I have heard it too on numerous occasions. And I hear there will be another outdoor, poolside venue at the old Don and Charlie's site. Enough already!!! -- sent by Rosemarie Surface (case# 61-UP-1997#5)



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City Notifications – Mailing List Selection Map



Additional Notifications:

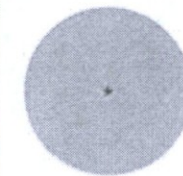
Interested Parties List
 Adjacent HOA's
 P&Z E-Newsletter
 Facebook
 Twitter
 Nextdoor.com
 City Website-Projects in the hearing process

Pulled Labels
 April 4, 2019

Map Legend:

Site Boundary

Properties within 750-feet



Postcards: 228

17-UP-2012#4



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, JULY 10, 2019

***DRAFT SUMMARIZED MEETING MINUTES ***

PRESENT: Paul Alessio, Chair
Prescott Smith, Vice Chair
Kevin Bollinger, Commissioner
Ali Fakh, Commissioner
Renee Higgs, Commissioner
Larry S. Kush, Commissioner
Christian Serena, Commissioner

ABSENT:

STAFF: Tim Curtis
Margaret Wilson
Bryan Cluff
Jeff Barnes
Greg Bloemberg
Steve Perone
Alex Acevedo

CALL TO ORDER

Chair Alessio called the regular session of the Scottsdale Planning Commission to order at 5:06 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. Approval of June 26, 2019 Regular Meeting Minutes.

ATTACHMENT 8

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

Commissioner Kush moved to approve the June 26, 2019 regular meeting minutes, Seconded by Commissioner Serena, the motion carried unanimously with a vote of seven (7) to zero (0).

REGULAR AGENDA

2. 3-UP-2019 (JOJO Coffeehouse)

Request by applicant for a Conditional Use Permit for live entertainment in a +/-2,412 square foot tenant space within a multi-tenant building, with Highway Commercial Downtown Overlay (C-3 DO) zoning, located at 3712 N. Scottsdale Road Suite 102. Staff contact person is Jeff Barnes, 480-312-2376. **Applicant contact person is Michael Melton, 480-220-2069.**

APPROVED 7-0; MOTION BY COMMISSIONER KUSH, 2ND BY COMMISSIONER HIGGS

THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0); BY CHAIR ALESSIO, VICE CHAIR SMITH, COMMISSIONER BOLLINGER, COMMISSIONER FAKIH, COMMISSIONER HIGGS, COMMISSIONER KUSH, AND COMMISSIONER SERENA.

3. 17-UP-2012#4 (Bottled Blonde Scottsdale Rooftop (Bar))

Request by owner for an amendment to an existing Conditional Use Permit for a bar, to include a new second floor roof deck addition, at an existing +/-16,480 square-foot space located at 7340 E. Indian Plaza with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is John Mocarski, 480-966-4001.**

APPROVED 6-1; MOTION BY COMMISSIONER BOLLINGER, 2ND BY COMMISSIONER SERENA WITH DELETED SPEAKER TIME LIMITATION STIPULATION AND COMMISSIONER KUSH DISSENTING.

THE MOTION CARRIED WITH A VOTE OF SIX (6) TO ONE (1); BY CHAIR ALESSIO, VICE CHAIR SMITH, COMMISSIONER BOLLINGER, COMMISSIONER FAKIH, COMMISSIONER HIGGS, AND COMMISSIONER SERENA, WITH COMMISSIONER KUSH DISSENTING.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

4. 7-ZN-2015#2 (Marquee)

Request by owner for approval of a Zoning District Map Amendment from Downtown/Downtown Multiple Use Type-2, Planned Block Development, Downtown Overlay (D/DMU-2, PBD, DO) to Downtown/Downtown Multiple Use Type-3, Planned Block Development, Downtown Overlay (D/DMU-3, PBD, DO) zoning and amending the existing Development Plan (7-ZN-2015) and proposing a building height of approximately 150 feet, on +/- 2.5-acres of a +/- 9.5 acre site located at 4419 N. Scottsdale Road. Staff contact person is Bryan Cluff, 480-312-2258.

Applicant contact person is George Pasquel III, 602-230-0600.

APPROVED 4-2; MOTION BY COMMISSIONER KUSH, 2ND BY COMMISSIONER BOLLINGER WITH COMMISSIONER FAKIH AND COMMISSIONER SERENA DISSENTING AND VICE CHAIR SMITH RECUSING HIMSELF.

THE MOTION CARRIED WITH A VOTE OF FOUR (4) TO TWO (2); BY CHAIR ALESSIO, COMMISSIONER BOLLINGER, COMMISSIONER HIGGS, AND COMMISSIONER KUSH, WITH COMMISSIONER SERENA, AND COMMISSIONER FAKIH DISSENTING, AND VICE CHAIR SMITH RECUSING HIMSELF.

Andrea Alley, Marilynn Atkinson, French Thompson, and Bob Pejmen spoke about the project.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 7:24 p.m.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

Smith, Erica

From: Stockwell, Brent
Sent: Tuesday, August 13, 2019 7:16 PM
To: City Council
Cc: Thompson, Jim; Padilla, Joe; Jagger, Carolyn; Walker, Sharron; Nichols, Jeff; Grant, Randy; Bloemberg, Greg
Subject: Responses to Council member questions - Bottled Blonde

Your Honor and Members of the City Council,

The following requests for information were requested by a member of the City Council regarding Bottled Blonde and Jim Thompson asked that I share this information with all of you.

Many thanks. Sincerely,
Brent Stockwell
Assistant City Manager
480-312-7288

Bottled Blonde – Could we add a bass component stipulation for the roof patio?

RESPONSE: Planning staff (Greg Bloemberg) is currently looking at this potential stipulation, but have not discussed with applicant. This case was due to the City Clerk's office today, so negotiation time is limited. For clarification, this case only asks for a new rooftop bar with speakers, no live entertainment. I'm not sure if a stipulation for base for the rooftop could be measurable and enforceable, when there is so much noise from the ground floor and surrounding area. Perhaps the applicant will accept a bass stipulation for the entire building, including the first floor, but I doubt it when the applicant is only requesting a rooftop bar. Planning Commission recommends approval and recommended deleting the staff's original stipulation to limit the hours of the rooftop outdoor speakers, which is another option for City Council consideration.

Bottled Blonde

17-UP-2012#4

City Council

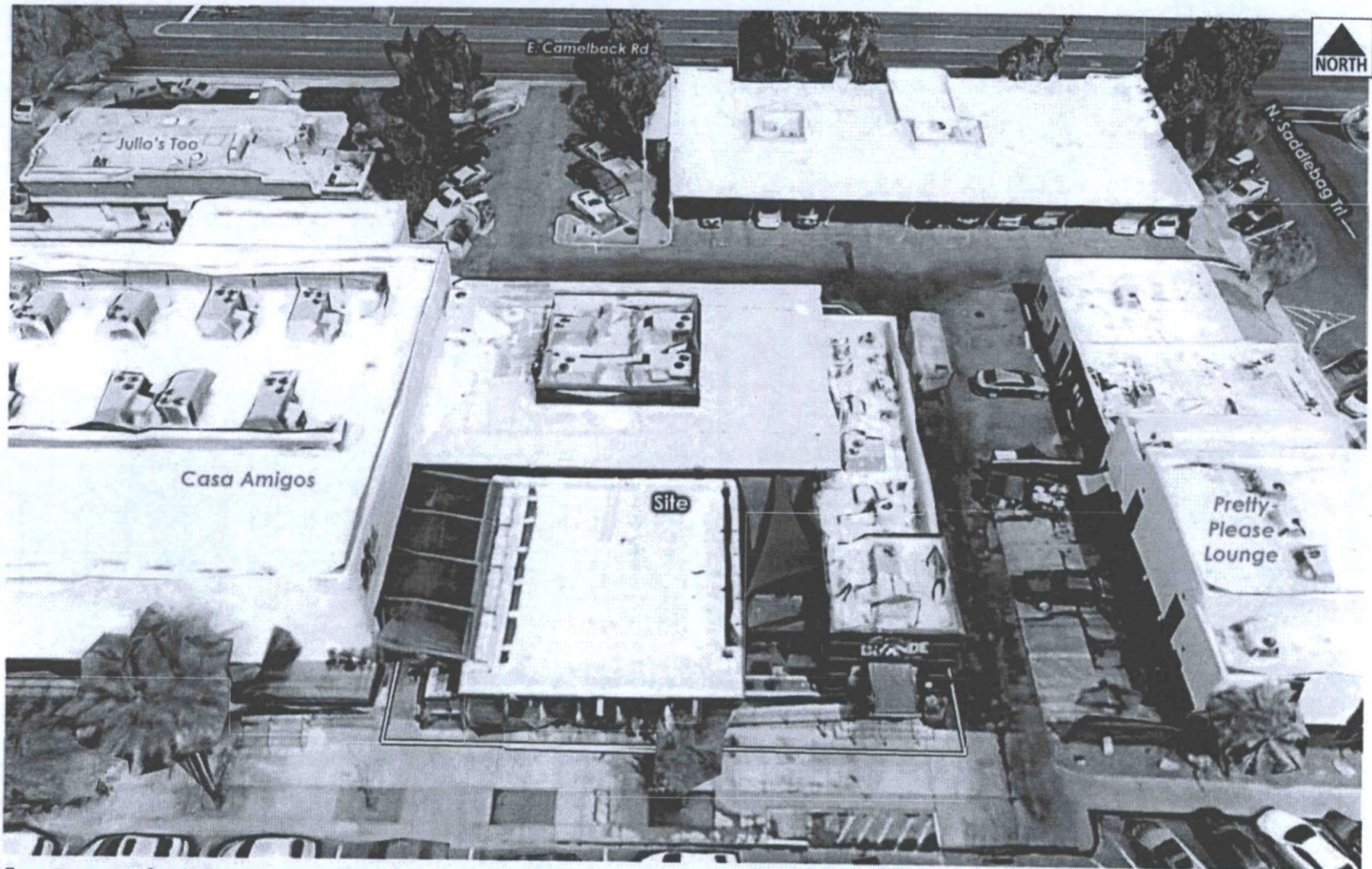
August 27, 2019

Coordinator: Greg Bloemberg



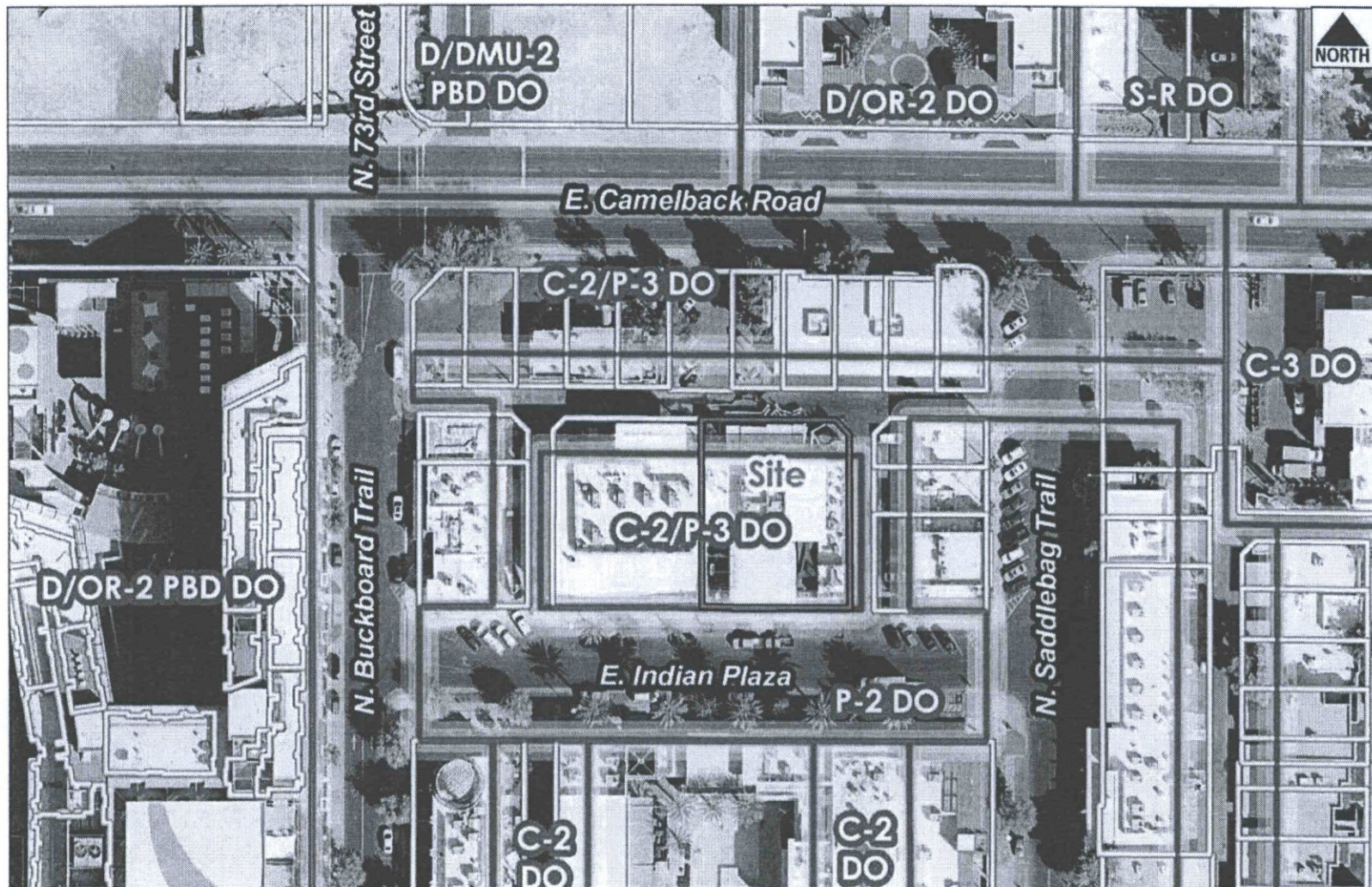
Context Aerial

17-UP-2012#4



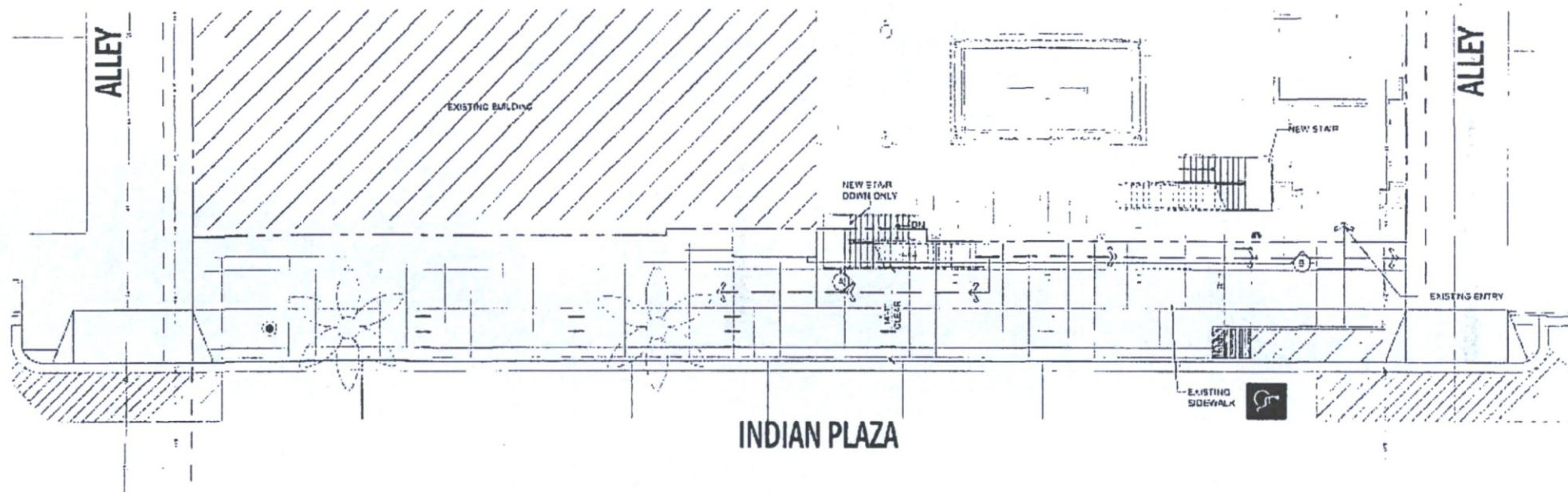
Detail Aerial

17-UP-2012#4



Existing Zoning

17-UP-2012#4



Site Plan

Considerations

- Updated SMO Plan approved
- 12 remote parking spaces secured
- Public comment expressing concerns about noise
- 18-foot wall proposed to limit noise trespass
- Stipulation #10: intended to restrict hours of operation for speakers on roof deck only
- Motion for approval from PC included removal of timing stipulation

Bottled Blonde

17-UP-2012#4

City Council

August 27, 2019

Coordinator: Greg Bloembergen

- Other examples of exterior noise-related stipulations:

- *Social Tap (4-UP-2010#3)*: limited to 68 decibels within 100 feet of the establishment

- *DC Hotel (2-ZN-2018) and Fashion Square (25-ZN-2015)*: limited to 10:00 Sunday-Thursday, 11:00 Friday, Saturday and holidays

Smith, Erica

From: Stockwell, Brent
Sent: Tuesday, August 13, 2019 7:16 PM
To: City Council
Cc: Thompson, Jim; Padilla, Joe; Jagger, Carolyn; Walker, Sharron; Nichols, Jeff; Grant, Randy; Bloemberg, Greg
Subject: Responses to Council member questions - Bottled Blonde

Your Honor and Members of the City Council,

The following requests for information were requested by a member of the City Council regarding Bottled Blonde and Jim Thompson asked that I share this information with all of you.

Many thanks. Sincerely,
Brent Stockwell
Assistant City Manager
480-312-7288

Bottled Blonde – Could we add a bass component stipulation for the roof patio?

RESPONSE: Planning staff (Greg Bloemberg) is currently looking at this potential stipulation, but have not discussed with applicant. This case was due to the City Clerk's office today, so negotiation time is limited. For clarification, this case only asks for a new rooftop bar with speakers, no live entertainment. I'm not sure if a stipulation for base for the rooftop could be measurable and enforceable, when there is so much noise from the ground floor and surrounding area. Perhaps the applicant will accept a bass stipulation for the entire building, including the first floor, but I doubt it when the applicant is only requesting a rooftop bar. Planning Commission recommends approval and recommended deleting the staff's original stipulation to limit the hours of the rooftop outdoor speakers, which is another option for City Council consideration.

Bottled Blonde

17-UP-2012#4

City Council

August 27, 2019

Coordinator: Greg Bloemberg



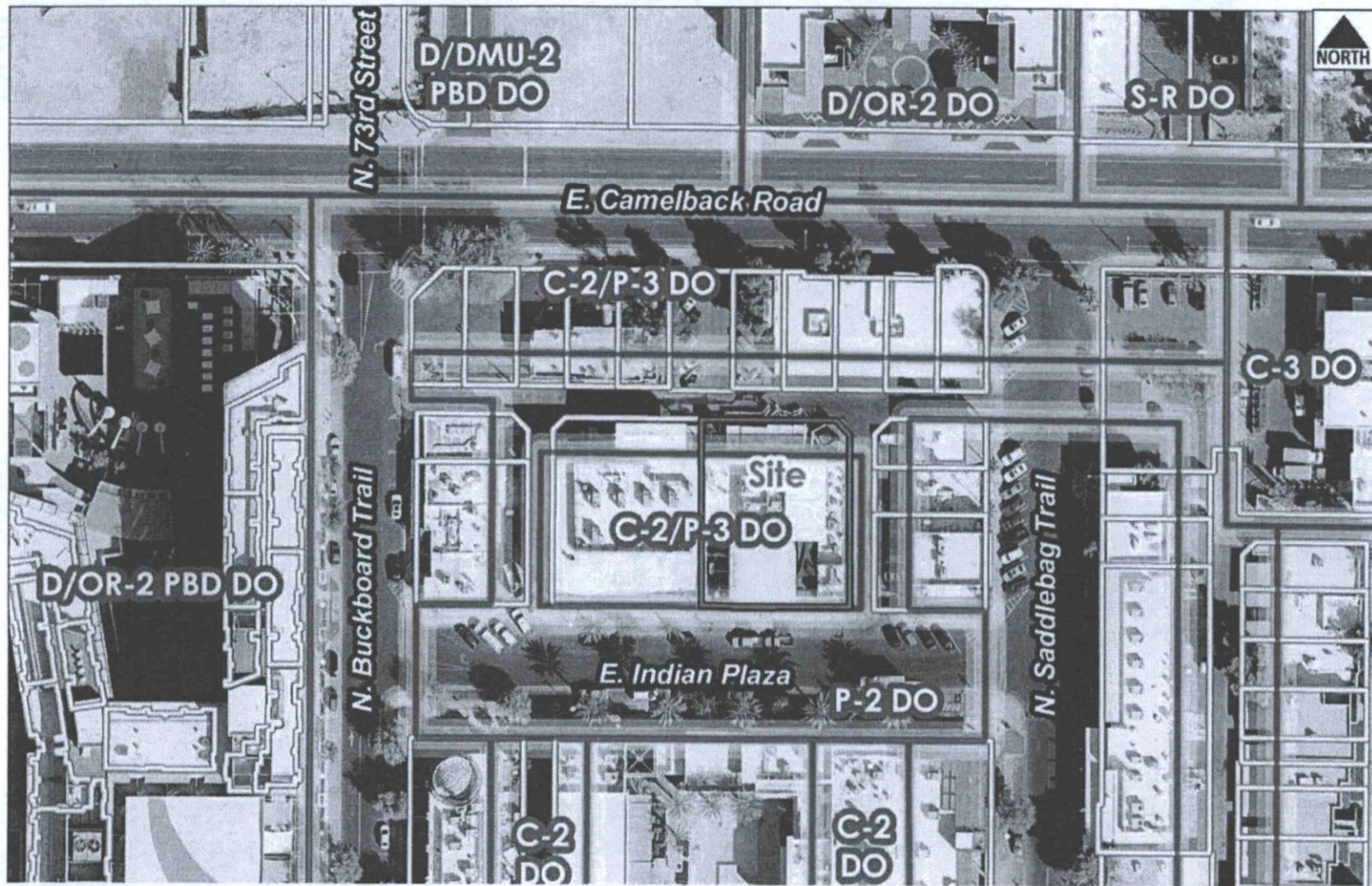
Context Aerial

17-UP-2012#4



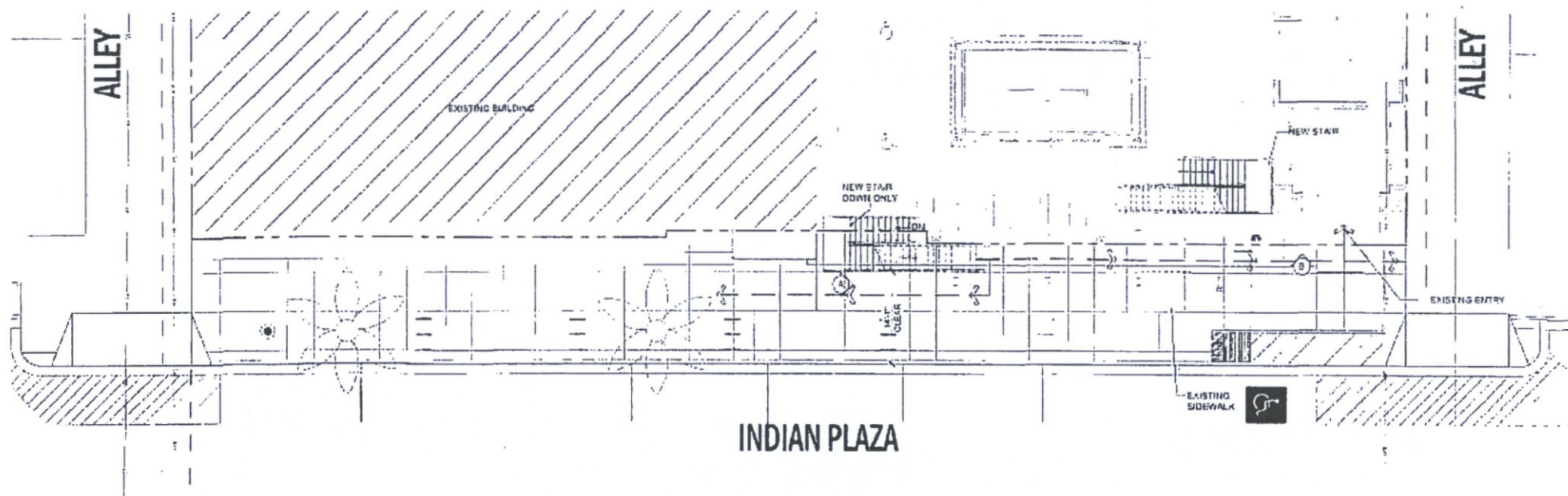
Detail Aerial

17-UP-2012#4

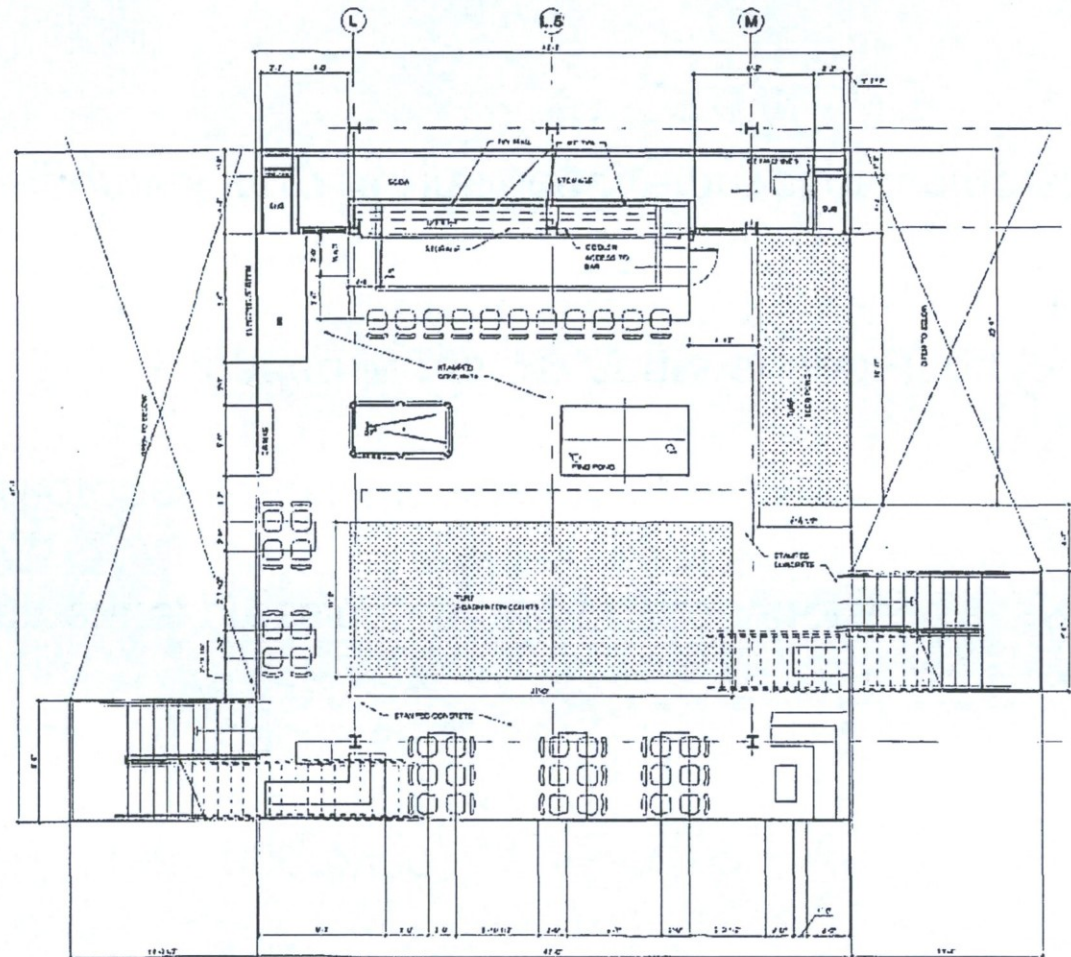


Existing Zoning

17-UP-2012#4



Site Plan



Floor Plan

Considerations

- Updated SMO Plan approved
- 12 remote parking spaces secured
- Public comment expressing concerns about noise
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Bottled Blonde

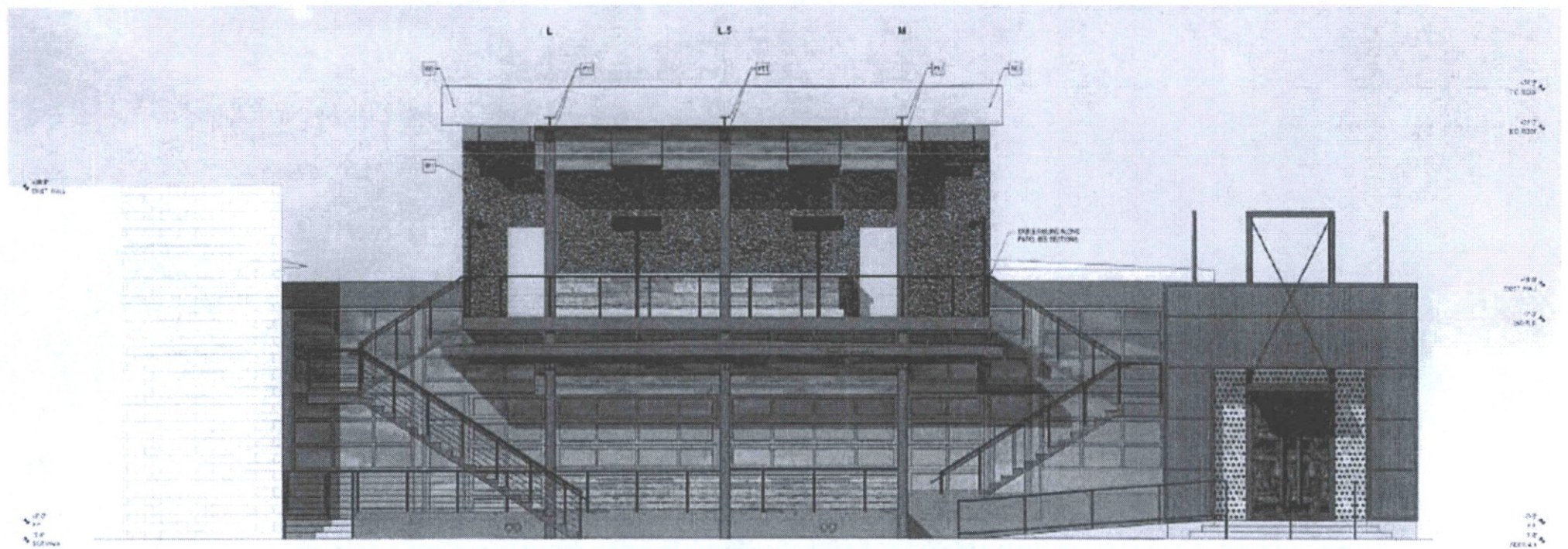
17-UP-2012#4

City Council

August 27, 2019

Coordinator: Greg Bloemberg

- Other examples of exterior noise-related stipulations:
 - *Social Tap (4-UP-2010#3)*: limited to 68 decibels within 100 feet of the establishment
 - *DC Hotel (2-ZN-2018) and Fashion Square (25-ZN-2015)*: limited to 10:00 Sunday-Thursday, 11:00 Friday, Saturday and holidays



Building Elevation (reference only)

PLANNING COMMISSION REPORT



Meeting Date: July 10, 2019
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Bottled Blonde
17-UP-2012#4

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for an amendment to an existing Conditional Use Permit for a bar to include a new second floor roof deck addition, for a property located at 7340 E. Indian Plaza with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning.

Goal/Purpose of Request

The applicant requests approval to add a rooftop deck to an existing bar.

Key Items for Consideration

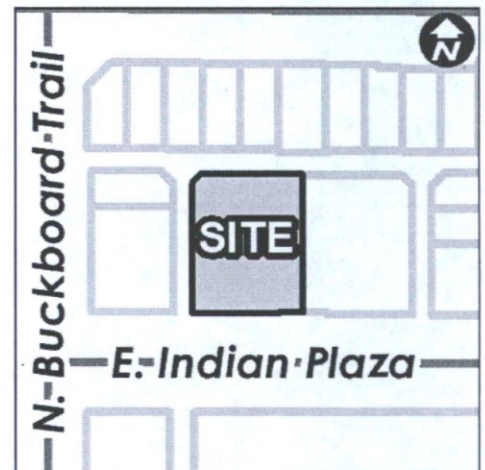
- Conditional Use Permit (CUP) Criteria
- No outdoor live entertainment proposed
- Speakers and televisions proposed on roof deck
- 18-foot high wall along north edge of roof deck proposed to reduce noise trespass on residential to the north
- Public comment in opposition to request received by staff

OWNER

Les Corieri
480-970-1112

APPLICANT CONTACT

John Mocarski
LGE Design Build, LLC
480-966-4001



LOCATION

7340 E. Indian Plaza

BACKGROUND

Old Town Character Area Plan (OTCAP)

The Future Land Use Map of the OTCAP designates this site as Multiple Use Type 2, which encourages a “mix of uses and activities through the development of mutually supportive uses” (Policy LU 2.5).

Zoning

This site is zoned C-2/P-3 DO and P-2 DO. The C-2 district allows for bars subject to approval of a Conditional Use Permit. P-3 and P-2 are parking overlay districts. This establishment has been in operation since 2013; however, a bar has operated at this location in one form or another since 1997.

Context

The property is located on the north side of E. Indian Plaza in the OTCAP-designated Entertainment District and is surrounded by bars of similar intensity. The nearest single-family residence is located approximately 400 feet northeast of the property, and the nearest multi-family residential (apartments) is located approximately 420 feet south of the property. Refer to attached context graphics.

Adjacent Uses and Zoning

- North: Restaurant/Office, zoned C-2/P-3 DO and P-2 DO
- South: Bar, zoned C-2 DO and C-3/P-3 DO
- East: Bar, zoned C-2/P-3 DO and P-2 DO
- West: Retail, zoned C-2/P-3 DO and P-2 DO

Other Related Policies, References:

- Zoning Ordinance
- 17-UP-2012: Approved a CUP for a bar
- 17-UP-2012#2: Approved an amendment to an existing CUP to add indoor/outdoor floor area to an existing bar use
- 17-UP-2012#3: Approved an amendment to an existing CUP to revise the floor plan and add patio space for an existing bar use
- 61-UP-1997: Approved a CUP for live entertainment for a bar
- 61-UP-1997#2: Approved a renewal of an existing CUP (61-UP-1997)
- 61-UP-1997#3: Approved an amendment to an existing CUP to revise the floor plan and add patio space for an existing bar use

APPLICANTS PROPOSAL

Development Information

The applicant seeks approval to add a rooftop deck to an existing bar. The proposal includes a rooftop bar and a 18-foot high sound mitigation wall along the northern edge of the deck. No changes to the indoor floor plan are proposed, other than addition of two staircases for access to the roof deck.

- Existing Use: Bar w/ Live Entertainment
- Proposed Use: Bar w/ Live Entertainment
- Parking Required: 10 spaces (1,975 square feet of deck at 1 space for every 200 square feet)
- Parking Provided: 12 spaces (remote agreement)

IMPACT ANALYSIS

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - This establishment is in an area with uses of similar intensity, including bars and restaurants. The nearest single-family residence is approximately 400 feet northeast of the site and the nearest multi-family residential building is approximately 420 feet south of the site. No live entertainment is proposed on the roof deck and the location has been operating as a bar with live entertainment since 2013. In response to concerns from neighbors regarding noise, the applicant proposes an 18-foot high sound mitigation wall along the northern edge of the roof deck to deflect noise away from the single-family residential to the north. Speakers on the roof deck will only be used to transmit pre-recorded music and sound from televisions, and a stipulation requiring speakers to be turned off by 10:00 PM Sunday thru Thursday, and 11:00 PM Friday and Saturday to protect the multi-family residential to the south, is included as part of this report. The proposal includes string lighting over the roof deck, which is stipulated to be capped to direct light down to the deck. As stipulated, the proposal is not anticipated to result in any damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **The location has been operating as a bar with live entertainment since 2013 and is surrounded by uses of similar intensity. This area of Old Town is primarily pedestrian-oriented, with some vehicular parking provided on the streets and adjacent to alleys. This request is not anticipated to generate a significant increase in demand on vehicular traffic that would affect existing traffic patterns on surrounding streets.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **This establishment is in an area with uses of similar intensity, including bars and restaurants, and the nearest single-family residence is located approximately 400 feet northeast of the site. The characteristics of the proposed roof deck are reasonably compatible with uses in the surrounding area.**
- C. The additional conditions specified in Section 1.403.C (bar) have been satisfied.
 1. The use shall not disrupt existing balance of daytime and nighttime uses.
 - **This establishment has been operating as a bar with live entertainment since 2013. The addition of a roof deck is not anticipated to disrupt the balance of daytime and nighttime uses.**
 2. The use shall not disrupt pedestrian-oriented daytime activities.
 - **This area of Old Town is occupied primarily by bars with varying hours of operation. The addition of a roof deck is not anticipated to disrupt pedestrian-oriented daytime activities.**
 3. If the site is located within the downtown overlay district, then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - **No retail uses will be displaced as a result of this request.**
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
 - **The applicant has secured an Assurance for Remote Parking Agreement with another property in the area (4430 Civic Center, LLC) for the use of 12 remote spaces. The remote parking is located within 600 feet of the establishment.**
 4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.

- b. The use shall provide methods of buffering residential uses.
 - **This establishment is located within 400 feet of a single-family residence and within 420 feet of a multi-family residential building. No live entertainment is proposed on the roof deck that might adversely impact residential uses and the establishment has operated as a bar with live entertainment since 2013. Additionally, speakers on the roof deck will only be used to transmit pre-recorded music and sound from televisions, and a stipulation requiring speakers to be turned off by 10:00 PM Sunday thru Thursday and 11:00 PM Saturday and Sunday is included as part of this report. Finally, the proposal includes an 18-foot high sound mitigation wall along the northern edge of the roof deck to deflect noise away from the residential to the north.**
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
 - **An amended Security, Maintenance and Operations (SMO) Plan has been reviewed and approved by the Police Department. Conditions of the SMO will be enforced by the City's Code Enforcement Division and the Police Department.**
6. The applicant shall create a written exterior refuse control plan for approval by the City.
 - **A written exterior refuse control plan was included as part of the amended SMO approved by the Police Department.**
7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
 - **The proposal includes an 18-foot high sound mitigation wall along the northern edge of the roof deck to deflect noise back in toward the Entertainment District and away from the residential to the north. Additionally, speakers on the roof deck will only be used to transmit pre-recorded music or sound from televisions, and a stipulation requiring speakers to be turned off by 10:00 PM Sunday thru Thursday and 11:00 PM Friday and Saturday, to protect the multi-family residential to the south is included as part of this report. No live entertainment is proposed on the roof deck. The proposed string lighting over the deck and existing external lighting is compatible with the lighting in the area.**
8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
 - **The addition of a 1,975 square foot roof deck results in an increase in required parking of 10 spaces. The applicant has secured an Assurance of Remote Parking lease for 12 spaces with another property owner in the area (located within 600 feet of the establishment).**

9. After hours establishments must maintain a valid after-hours establishment license.

- **No after-hours activities are proposed as part of this application.**

Public Safety

A revised Security, Maintenance and Operations Plan has been reviewed and approved by the Police Department.

Liquor License Review

This establishment has been operating under an existing Series 6 liquor license (95-LL-2013) since 2013. The Police Department has indicated no opposition to the proposed amendment.

Community Notification

Property owners within 750 feet of the site have been notified and the site is posted with the required signage. Staff has received correspondence from residents in the area expressing concerns about noise.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval of an amendment to an existing Conditional Use Permit for a bar to include a new second floor roof deck addition, for a property located at 7340 E. Indian Plaza with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning, per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

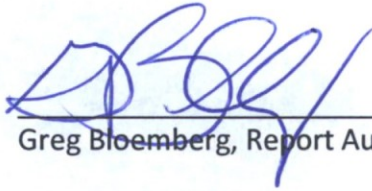
Greg Bloemberg

Senior Planner

480-312-4306

E-mail: gbloemberg@ScottsdaleAZ.gov

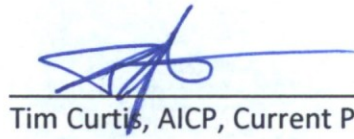
APPROVED BY



Greg Bloomberg, Report Author

6.25.19


Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

6/27/2019

Date



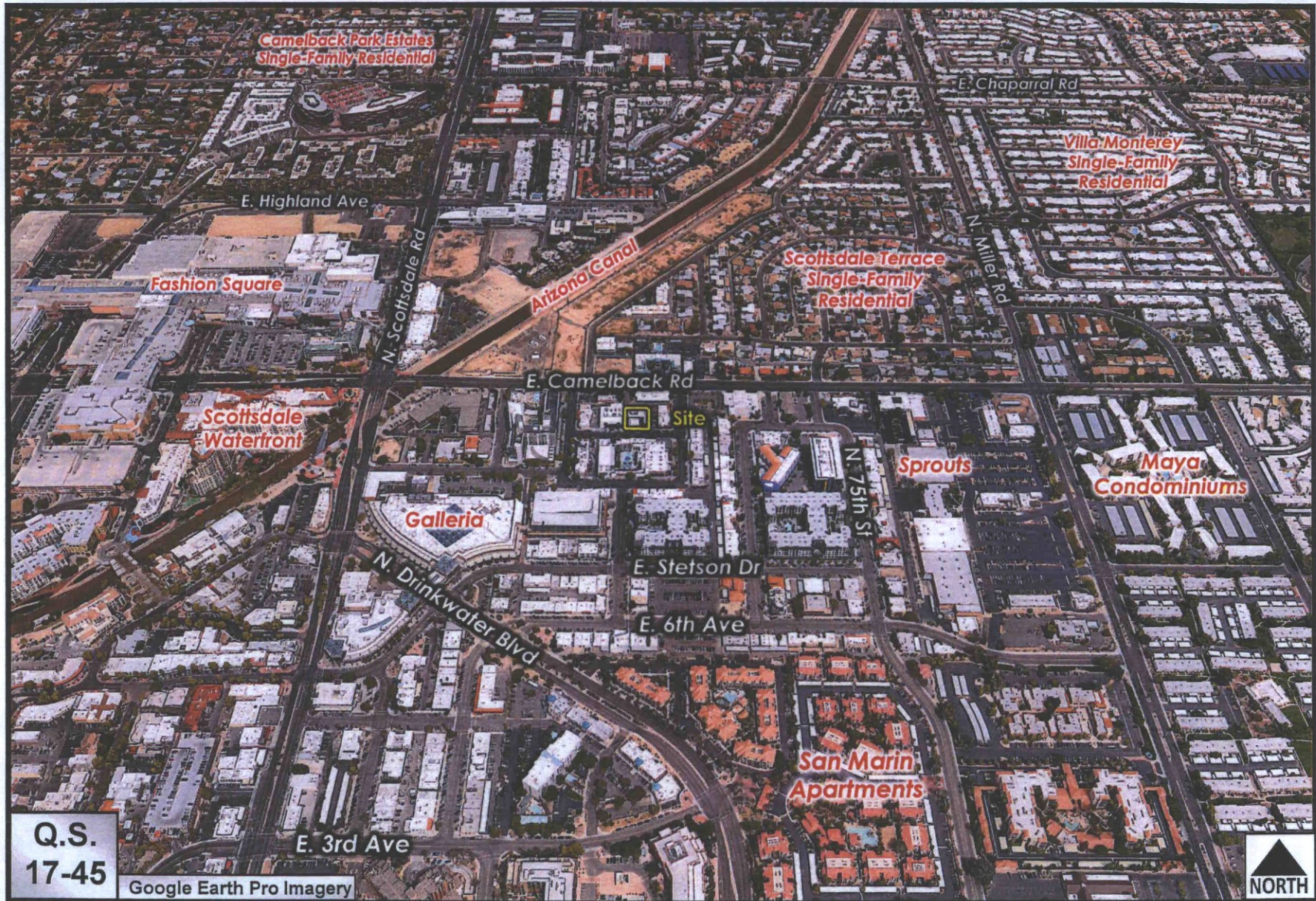
Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

6/28/19

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Stipulations
 - Exhibit A to Attachment 2: Floor Plan
 - Exhibit B to Attachment 2: Site Plan
3. Applicant's Narrative
4. Zoning Map
5. Security, Maintenance and Operations Plan
6. Citizen Involvement
7. City Notification Map



Context Aerial

17-UP-2012#4 &
61-UP-1997#5



Close-up Aerial

17-UP-2012#4 &
61-UP-1997#5

Conditional Use Permit – Bar
Stipulations
LiveWire Renovation
Case Number: 17-UP-2012#34

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

GOVERNANCE

1. **APPLICABILITY.** The stipulations from this case, 17-UP-2012#~~34~~, supersede all stipulations from case 17-UP-2012#~~23~~. Stipulations from case 17-UP-2012 shall continue to apply, except as amended below.

OPERATIONS

2. **CONFORMANCE TO THE CONCEPTUAL FLOOR PLAN.** The interior layout of the premises shall be in substantial conformance with the conceptual floor plan provided by LGE Design Group, with the city staff date of ~~5/2/17~~ 4/4/19, attached as Exhibit A to ~~Exhibit~~ **Attachment 2**. Any significant change to the conceptual floor plan as determined by the Zoning Administrator shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. **CONFORMANCE TO CONCEPTUAL SITE PLAN.** Development shall conform with the conceptual site plan provided by LGE Design Group, with the city staff date of ~~5/2/17~~ 4/4/19, attached as Exhibit B to ~~Exhibit~~ **Attachment 2**. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
4. **NO LIVE ENTERTAINMENT.** This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request. Refer to case 61-UP-1997#4.
5. **NO AFTER HOURS.** No after-hours activities at this establishment (after 2:00 AM) are approved as part of this request.
6. **HOURS OF BAR OPERATIONS.** The hours of bar operations for this establishment shall be limited to:

	Open to Customers	Close to Customers
Sunday	9:00 11:00 AM	2:00 AM
Monday	3:00 PM	2:00 AM
Tuesday	3:00 PM	2:00 AM
Wednesday	3:00 PM	2:00 AM
Thursday	3:00 PM	2:00 AM
Friday	3:00 PM	2:00 AM
Saturday	9:00 11:00 AM	2:00 PM

7. **PUBLIC SAFETY PLAN (PSP).** The operations of the bar shall conform to the PSP approved by, and on record with the City of Scottsdale's Police Department and the Planning and Development Services Division. A copy of the approved PSP shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the PSP to the Scottsdale Police Department and the Planning and Development Services Division. At least ten (10) days before any operational change of the bar, or any promotional event (excluding Special Events), that modifies the requirements or contents of the PSP, the owner shall submit a revised PSP to the Scottsdale Police Department and the Planning and Development Services Division. Any revised PSP shall be subject to approval by the City of Scottsdale's Police Department and the Planning and Development Services Division. Where there is a conflict between the provisions of a Security, Maintenance and Operations Plan and the provisions of a PSP, the provisions that establish the higher standard of protection for public health and safety shall prevail.
8. **SECURITY, MAINTENANCE AND OPERATIONS PLAN (SMO).** The operations of the bar shall conform to the revised SMO Plan approved by, and on record with, the City of Scottsdale's Police Department and the Planning and Development Services Division. A copy of the approved SMO shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update to the SMO Plan to the Scottsdale Police Department and the Planning and Development Services Division. At least 10 days before any operational change for the bar, or any promotional event (excluding Special Events), that modifies the requirements or content of the SMO Plan, the owner shall submit a revised SMO Plan to the Scottsdale Police Department and the Planning and Development Services Division. Any revised SMO Plan shall be subject to approval by the Scottsdale Police Department and the Planning and Development Services Division.
9. **NOISE.** In addition to the City's Noise Ordinance (Ordinance No. 3192, Article II, Chapter 19 of the Scottsdale Revised Code), noise generated from this use, including any speakers or other amplification equipment, shall not exceed ambient noise levels consistent to the use and the character of the area during hours of operation, as determined by the Zoning Administrator, or designee. Amplified music shall be limited to the times that State law allows liquor sales at this bar.
10. **EXTERNAL SPEAKERS.** The proposed external speakers on the balcony, **roof deck** and patio shall ~~not only be used to broadcast live entertainment~~ **transmit pre-recorded music or sound from televisions and shall be directed inward toward the establishment. All speakers on the roof deck shall be turned off by 10:00 PM, Sunday thru Thursday, and 11:00 PM Friday and Saturday.**
11. **ROOF DECK.** An 18-foot high wall shall be constructed along the north edge of the roof deck to deflect noise away from the single-family residential to the north. Additionally, the railing for the roof deck shall angle inward and if necessary, include a shelf for patrons to minimize the potential for objects to fall on pedestrians walking on the sidewalk below.
12. **LIGHTING.** String lighting on the roof deck shall include caps over all bulbs to direct lighting down to the deck.

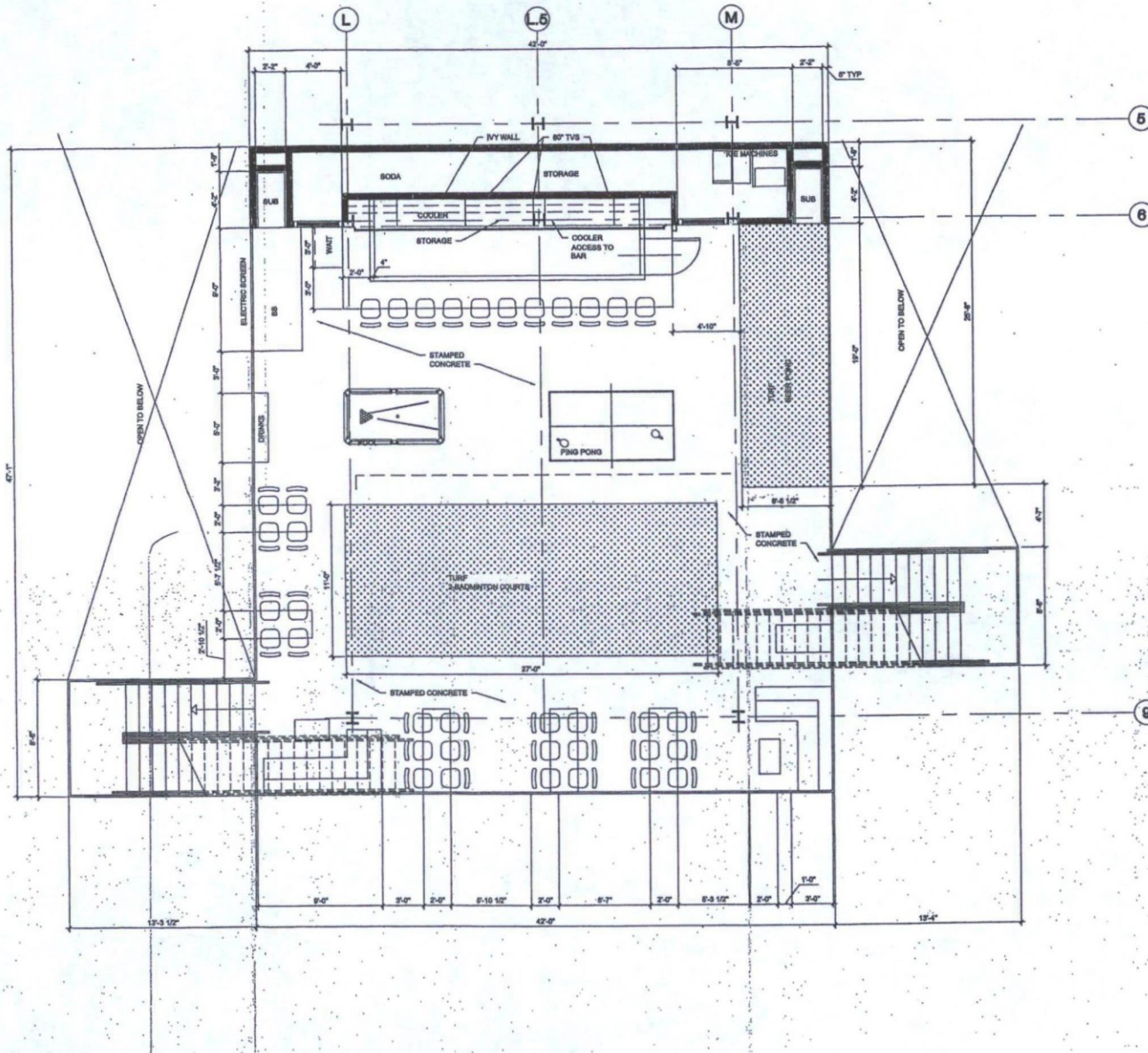
13. **PRIVATE IMPROVEMENTS IN THE RIGHT-OF-WAY (PIR) AGREEMENT.** Prior to issuance of any permits associated with the roof deck, the property owner shall enter into a PIR Agreement with the City for the proposed staircase that extends into the public right-of-way.
14. **PEDESTRIAN CIRCULATION.** A minimum clear sidewalk width of fourteen feet shall be maintained between the external staircase and the street curb.
15. **EXTERNAL DOORS.** All external doors shall be closed but not locked during business hours.

PARKING

16. **MINIMUM PARKING.** The site shall be required to provide parking, as required by the Zoning Ordinance, through on-site parking, off-site parking, in-lieu parking spaces, or any combination thereof, at all times. Failure to provide required parking for the use, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.
17. **PARKING ASSURANCE AGREEMENT(S).** ~~If the owner or operator chooses to utilize off-site parking to satisfy the parking requirement for the use, the owner or operator shall enter into a parking assurance agreement in a form satisfactory to the city.~~ In addition to any existing remote parking assurance agreements, the owner shall enter into a remote parking assurance agreement for a minimum of 12 spaces for the proposed roof deck, in a form satisfactory to the City. Thirty (30) days before the expiration of any assurance agreement, the owner or operator shall submit a new assurance agreement to the Zoning Administrator, or designee, subject to city review and approval. Inability of the owner or operator to obtain the required parking under an assurance agreement, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.

ADMINISTRATIVE/PROCESS

18. **CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW.** Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
19. **CHANGES IN OWNERSHIP.** Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.



SHEET NOTES:

- A. REFER TO THE CS SERIES SHEETS FOR ARCHITECTURAL GENERAL NOTES, DRAWING, REFERENCE AND MATERIAL SYMBOLS, ABBREVIATIONS, AS WELL AS DIMENSIONING CONVENTIONS USED ON THIS SHEET.
- B. FOR BASIC LIFE SAFETY AND CODE INFORMATION APPLYING TO THIS PROJECT, REFER TO THE GLX SERIES SHEETS LOCATED PER THE PROJECT SHEET INDEX.
- C. REFER TO THE AL1X SERIES SHEETS FOR THE REFLECTED CEILING PLAN.
- D. REFER TO THE AL1X SERIES SHEETS FOR PARTITION SYSTEMS TYPES AND DETAILS.
- E. REFER TO THE AB2X SERIES SHEETS FOR INTERIOR FINISH INFORMATION.
- F. REFER TO THE AB2X SERIES SHEETS FOR THE INTERIOR OPENING SCHEDULE(S), TYPES, AND DETAILS.

BOTTLED BLONDE SCOTTSDALE ROOFTOP PATIO

7340 E. INDIAN PLAZA
SCOTTSDALE, AZ 85251

IGE DESIGNBUILD

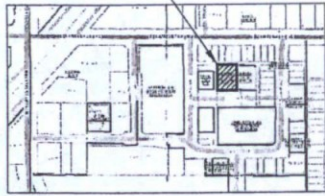
REVISION DATE

SHEET TITLE:
OVERALL FLOOR PLAN
DATE: 03-04-2019
DRAWN BY: HC
CHECKED BY: JMO
DATE: 03-04-2019

IGE DESIGNGROUP

740 N. 52nd Street • Phoenix, AZ • 85008
P: 480.966.4001

PROJECT LOCATION



VICINITY MAP

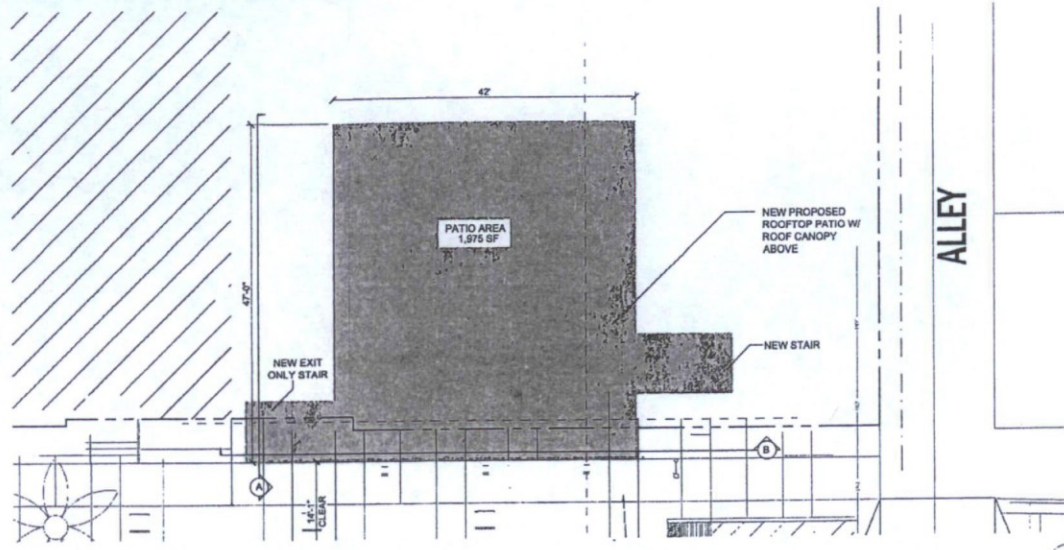


PARKING CALCULATIONS

EXISTING PARKING TO REMAIN

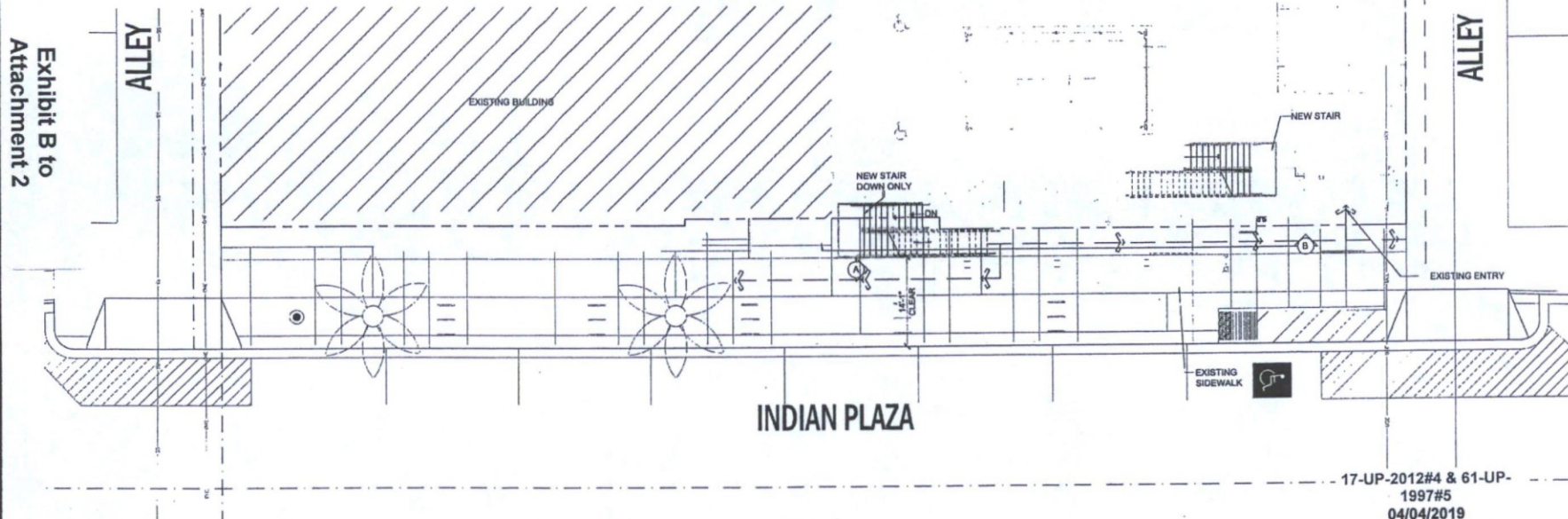
REQUIRED
1975 / 200 - 9,875 SPACES

12 SPACES HAVE BEEN PROVIDED
PER ASSURANCE TO CITY OF REMOTE PARKING DATED 03/30/2019



CONCEPTUAL SITE PLAN - 2ND FLOOR

SCALE: 1/8" = 1'-0"



CONCEPTUAL SITE PLAN - 1ST FLOOR

SCALE: 1/8" = 1'-0"

17-UP-2012#4 & 61-UP-
1997#5
04/04/2019

BOTTLED BLONDE SCOTTSDALE ROOFTOP PATIO

7340 E. INDIAN PLAZA
SCOTTSDALE, AZ 85251

IGE | DESIGNBUILD

REVISION	DATE

SHEET TITLE	
OVERALL SITE PLAN	
REVISION DATE	03-04-2019
DRAWN BY:	HC
CHECKED BY:	JMC
PROJECT No.	
SHEET:	A1.1.1

Exhibit B to
Attachment 2

Date: 04/01/2019
Project: Bottled Blonde Rooftop Addition
RE: Conditional Use Permit Submittal Narrative

The attached submission is for an addition to Bottled Blonde Scottsdale, currently located on 3740 E Indian Plaza Scottsdale, AZ 85251. Bottled Blonde Rooftop has been an established business which initiated the initial revitalization of the neighborhood. The addition is approximately 1,900 square feet of outdoor space above the existing bar exterior patio foot print. The overall aesthetics are to match the existing features of the current bar. Existing hardscape will not be altered.

Sec. 1.403 (C.1.) C.1 Bars, Cocktail Lounges, And/Or After-Hours Establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.

Response: The uses is not changing the existing uses of the property there for shall not effect the existing balance of daytime and nighttime uses.

2. The use shall not disrupt pedestrian-oriented daytime activities.

Response: The pedestrian-oriented daytime activities shall remain unchanged 14'-0" clear at the sidewalk has been provided.

3. If the site is located within the downtown overlay district D-O then:

- a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.

Response: The proposed addition shall not effect surrounding daytime retail since its hour of operations are from 3pm-2am Monday through Friday and 11am – 2am on sat and Sunday.

- b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.

Response: The required parking spaces have been purchased through an assurance to city for remote parking agreement. See attached assurance to the city agreement dated 03/20/2019

4. If the use is located within five hundred (500) feet of a residential use or district then:

- a. The use shall not adversely impact residential uses.

Response: The existing use has not changed and complies with this requirement.

- b. The use shall provide methods of buffering residential uses.

Response: The directionality of light and sound is to the commercial uses across the street away from the closest residential area.

5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.

Response: A security plan has been included with our CUP submittal.

6. The property owner shall create a written exterior refuse control plan for approval by the City.

Response: The exterior refuse is remaining as is, no changes to this area.

7. The property owner shall demonstrate how noise and light generated by the use shall be mitigated.

Response: This is a current use that is being expanded. The light and sound being generated by this location is directed away from the nearest residential area. A photometric plan has been submitted with our CUP.

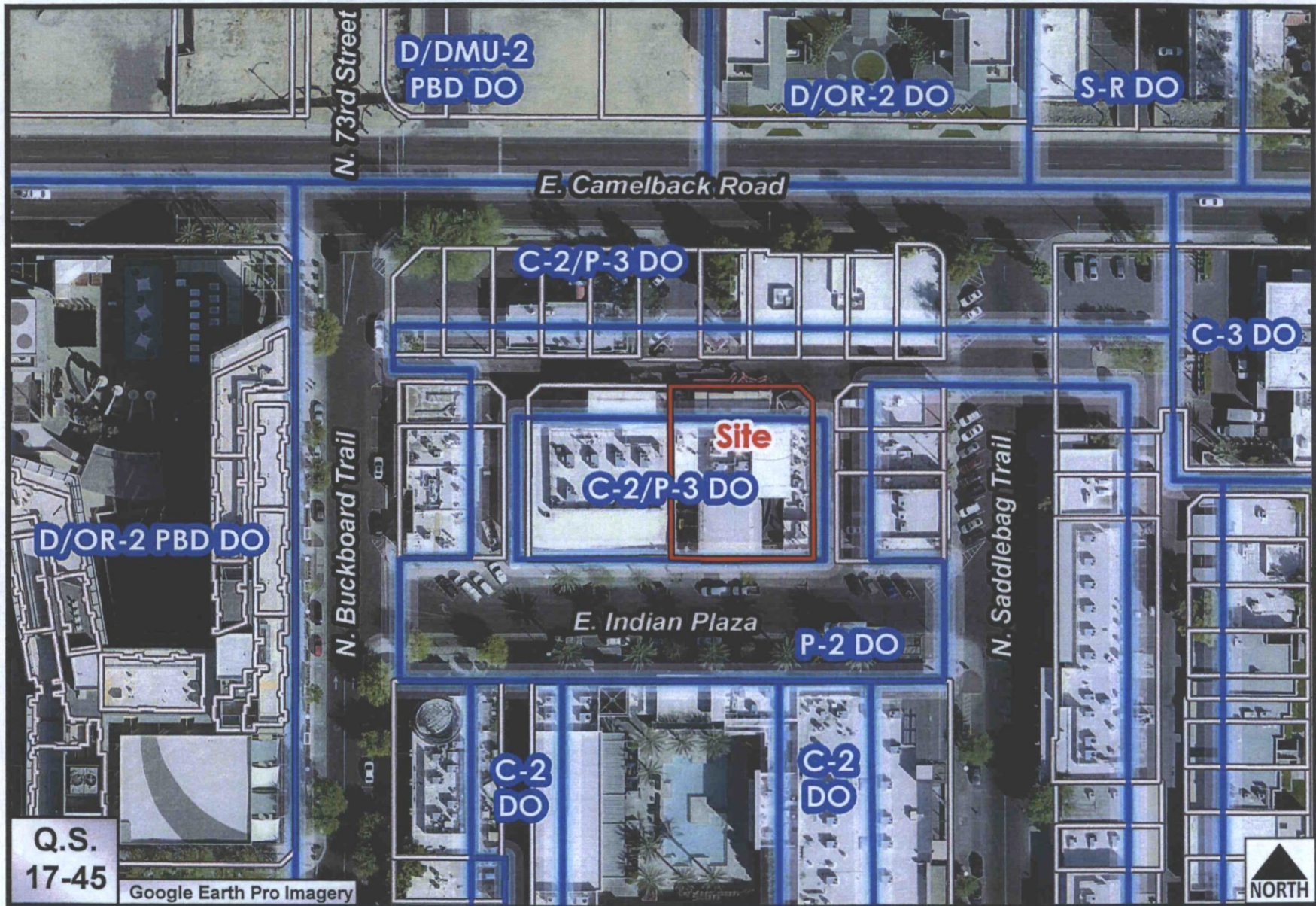
8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.

Response: Property shall comply with article IX and shall not exceed the capacity for traffic in the area. See attached assurance to the city agreement dated 03/20/2019

9. After hours establishments must maintain a valid after-hours establishment license.

Response: License shall continue to be maintained to run the addition and existing property.

The addition will not have any live entertainment. No application narrative required.



Zoning Aerial

17-UP-2012#4 &
61-UP-1997#5

Instructions for Security, Maintenance, and Operations Plans

Follow these steps for Review and Approval

Scottsdale Police Department Liquor Investigations

Step 1

Prepare Your Security, Maintenance, and Operations
Plan (SMO Plan)

Step 2

Send a Copy of Your SMO Plan to the Scottsdale Police
Department.

Detective John Miller
480.312.8333

JohMiller@scottsdaleaz.gov

Step 3

Contact Police Detective to Discuss Your Plan.

Step 4

Meet with Police Detective, If Necessary.

Step 5

Submit your reviewed plan to Scottsdale Planning and
Development.

17-UP-2012#4 & 61-UP-
1997#5
04/04/2019

SECURITY, MAINTENANCE AND OPERATIONS PLAN

For Bars and Live Entertainment Use Permits



Scottsdale Police Department, 3700 North 75th Street, Scottsdale, AZ 85251

480.312.5000

FAX 480.312.7701

City of Scottsdale Planning, 7447 E. Indian School, Scottsdale AZ 85251

480-312-7000

FAX 480-312-7088

Assigned Planner:

GREG BLOMBERG

Police Detective:

JOHN MILLER

Establishment:

Bottled Blonde

Address:

7340 E Indian Plaza, Scottsdale AZ 85251

Business Phone:

480-970-1112

Business FAX:

480-970-1166

Maximum Occupancy:

329 before 10 / 431 after 10 / Rooftop TBD

Effective Date of the Plan:

03/27/2019

Date of Plan Review:

~~060119~~ 051519 Jgm

Use Permit Issue Date:

Liquor License Number:

06070055

Contact Person (1):

Charlie Brooks

Home Phone:

602-367-2276

Contact Person (2):

AJ Jimenez

Home Phone:

805-746-9500

Jgm

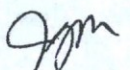
Purpose of the Plan

To address security measures, maintenance/refuse and operations for an establishment whose use shall require a Security Plan pursuant to Scottsdale Revised Codes. These uses typically include a Bar Use Permit and a Live Entertainment Use Permit. The contents of this plan will address the listed concerns as well as community concerns regarding:

- Any significant increase in vehicular or pedestrian traffic, including effects on parking, traffic and circulation in the area.
- Adequate control of disruptive behavior both inside and outside the premises to include property damage and refuse issues.
- Compatibility with surrounding structures and uses.

It is the intent of the City of Scottsdale to provide an environment that enhances the safeguarding of property as well as public welfare and to limit the need for law enforcement involvement.

The Permittee agrees that successful execution and enforcement of this Plan are a required condition of the use permit. Termination, cancellation, deviation or non-approval of the Plan constitutes a breach of the Plan and could result in the revocation of the use permit.



Operations and Hours

1. Permittee: 7340 LLC dba Bottled Blonde
 Type of Organization: Arizona Corporation Corporation
 Sole Proprietorship X LLC
 Partnership Other
2. Managing Agents Name: Dicor Mgmt & Design LLC (Les Corieri)
 Title: Managing Member
 Address: 7340 E Indian Plaza, Scottsdale AZ 85251
 Phone Numbers: 480-970-1112
 Fax or Other Numbers: 480-970-1166
3. Business Owner(s) (if different than Managing Agent) Name, Address, Phone: Les Corieri - same as above
Shawn Yari (Monilli LLC) 4501 N Scottsdale Rd., Scottsdale AZ 85251 (602)748-8888
4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone:
LMS 96 LLC, 7340 E Indian Plaza, Scottsdale AZ 85251 (480)970-1112
5. Hours of Operation:

	Peak/Non-Peak Night	Open to Customers	Liquor Sale Begin	Liquor Sale Ends	Closed to Customers
Monday	Non-Peak	3pm-2am	3pm	2am	2am
Tuesday	Non-Peak	3pm-2am	3pm	2am	2am
Wednesday	Non-Peak	3pm-2am	3pm	2am	2am
Thursday	Peak	3pm-2am	3pm	2am	2am
Friday	Peak	3pm-2am	3pm	2am	2am
Saturday	Peak	11am-2am	11am	2am	2am
Sunday	Non-Peak	11am-2am	11am	2am	2am

6. Promotional Events: *(Attach an addendum which describes week to week promotional events you plan to have throughout the year i.e. "Ladies night." Do no include special events)*
7. Program Format/Entertainment/Advertising: *(Complete for Live Entertainment Use Permit Only. Attach addendum that describes*

Jgm

entertainment format i.e. DJ, Live music, Comedy acts etc.) See Scottsdale Revised Code – Appendix B, Zoning Ordinance for definitions.

8. Special Events:

Permittee must give notice to City of Scottsdale Planning and Development at least forty-five (45) days prior to conducting Special Events on the premises. "Special Events" are any program formats varying from the regular format and audiences described or provided above organized or planned by Permittee. Scottsdale requires separate licenses for outdoor special events.

9. Cooperation/Complaints/Concerns:

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses:

7340 E Indian Plz

Name: AJ Jimenez Address: Scottsdale, AZ 85251 Phone: 805-746-9500

Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Scottsdale Police, City of Scottsdale Code Enforcement staff or other City staff as well as business and residential neighbors in addressing and investigating complaints, criminal acts, refuse issues and any other concerns.

Security and Maintenance

Security Attire

Security personnel must be readily identifiable to police, patrons, and other employees to ensure the safety of the security staff when engaged with patrons. Security personnel should wear an appropriate styled shirt with the word "security" on both the front and back, in two (2) inch lettering and clearly visible. During cold weather, a jacket with the same inscription should be worn.

The use of radios should be employed between security staff and management when the size of the establishment limits communication efforts.

Security Officer Responsibilities

The Permittee or management must clearly delineate the below responsibilities to all new security personnel and ensure these responsibilities are explained and understood.

Civilian Security Officers will be responsible for patrolling the full property of the liquor establishment during all hours when patrons are in the establishment, outside the establishment, and in the establishment parking areas.

On peak nights, there will be a minimum of 14 uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

1. 11 Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
2. 2 Security officer(s) will be responsible for checking identifications at the front door. Acceptable identification are those listed in Arizona Revised Statutes Title 4, section 241A and apply to patrons accessing any area of the licensed premises, including the time period of After-Hours, if applicable. Additional responsibilities shall include: access control, counting of patrons, and prevention of intoxicated persons from entering the business.
3. 1 Security officer(s) will be responsible for conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.

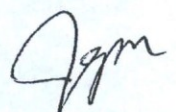
In addition, security officers will report all acts of violence to management personnel, complete a written report, log the act of violence, and contact Scottsdale Police Department immediately. Liquor establishment management and/or ownership has the ultimate responsibility for the recording of the act of violence, logging of the act of violence, and reporting the act of violence to the police department and the State Department of Liquor Licenses.

Management Responsibilities

The Permittee must clearly delineate the below responsibilities to all managers, assistant managers, and person(s)-in-charge and ensure these responsibilities are understood and followed.

The manager(s) shall ensure that all employees, security staff and off-duty officers (if applicable) be trained and knowledgeable about the contents of this plan. The following shall be agreed upon and adhered to:

1. There will be a minimum of 3 manager(s) available during peak nights.
2. There shall be a general manager and one assistant manager on duty all hours while open for business and for thirty minutes after closing.
3. A manager shall be identified as the "Security Manager" for the establishment and be responsible for ensuring that a safe environment exists; for the supervision of all security personnel and that all security personnel as identified here shall meet or exceed the requirements established by A.R.S. 32-2621 through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulation issued pursuant thereto.
4. At least one security manager will be on duty until one hour after closing or the last security officer is off duty, whichever occurs last.



Uniformed Sworn Officer Responsibilities:

If Off-duty law enforcement is used for security, it is the responsibility of the Permittee or management to clearly delineate the following responsibilities, which include at a minimum the following:

1. Conduct traffic control as needed.
2. Assist civilian security officer(s) in removal of disorderly and/or intoxicated guests and maintain the peace outside the establishment.
3. If necessary, patrol the exterior portions of the business to maintain the peace as well as prevent criminal acts.
4. If a valet is utilized, maintain the peace in the area of the valet.
5. Assist Security Officers with maintaining order in the entrance line and assist in discovery of underage patrons attempting admittance.

- ☐ I plan to hire _____ officer(s) during peak nights from (name of agency) _____.
- ☒ I do not plan to hire off-duty law enforcement.

Parking

In order to reduce criminal activity that negatively affects the nearby businesses, the Permittee is responsible for the designated parking area to include any lots used by the Permittee's contracted valet company. It is the Permittee's responsibility to ensure that parking areas utilized by patrons and employees will be routinely patrolled by security staff so parking areas are not used: as a gathering place; for consumption of spirituous liquor; for violations of state or city law; for acts of violence, or disorderly conduct. Management will ensure that all patrons have left the parking areas within thirty minutes after the designated closing time.

If valet is used, it is the Permittee's responsibility to ensure the valet company meets all the requirements of the City of Scottsdale and has a valid valet license and permit prior to conducting valet business.

Refuse Plan

It is the Permittee's responsibility to ensure refuse containers are properly used and the area in and around the business is kept clean. Failure to do so will result in an investigation and possible citation from the City of Scottsdale Code Enforcement or other governmental agencies.

At closing, management will be responsible for refuse pick-up and any appropriate cleaning, for any refuse found within a 300 foot (three hundred) radius of the business. This will also include patron parking lot(s), valet parking lot(s) and employee parking lot(s). All bottles, trash, bodily fluids or secretions and refuse found on streets, sidewalks, private property, and empty lots within the above designated areas will be placed in the refuse container or cleaned appropriately.



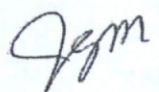
Enforcement of Security Plan

Violations of this Security Plan will be enforceable by City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of applicable use permits relating to the establishment.

Violation, amendment, revocation, as defined in Scottsdale City Zoning Code Sec. 1.402.

Conditional use-permits, which have been approved by the City Council, shall be subject to the following procedures and criteria regarding any violation, amendment, or revocation.

- The violation of any condition imposed by the conditional use permit shall constitute a violation of this ordinance and shall be subject to the requirements of Section 1.1400 et seq.
- Conditional uses shall be developed in conformance to the approved plans as determined by the Zoning Administrator. An amendment to a conditional use permit is required before implementation of any material change in the scope and nature of an approved conditional use, material change in any conditions or stipulations to a conditional use permit or material change in the physical size, placement or structure of property subject to a conditional use permit. The Zoning Administrator shall have the discretion to determine if a proposed change warrants an amendment. An amendment must be approved as provided in Section 1.400 et seq. for the approval of conditional use permits.
- The Zoning Administrator may recommend to the City Council and the City Council may affect revocation of a conditional use permit pursuant to Section 1.402 of the Scottsdale Zoning Code for acts including but not limited to:
 1. A violation of the Plan.
 2. Violation of the conditions of the Use Permit.
 3. Violation of Scottsdale ordinances or law.
 4. Repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, or failure to report acts of violence
 5. Failure of the Permittee to take reasonable steps to protect the safety of persons entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known of such acts of violence or altercations.
 6. Any enlargement or expansion of the premises, plan of operation or program format without appropriate approval from the City.
 7. Misrepresentations or material misstatements of the Permittee, its agents or employees.



Dissemination of the Security Plan

- A copy of this security plan must be provided to each security officer and off-duty sworn law enforcement officer as well as the manager(s) and assistant manager(s) employed by the permittee.
- A reading log will be maintained and will be signed by each of the above persons, stating they have read and understood this plan. Each security employee must read the plan once per year, or when there are any changes to the plan.
- A current copy of this plan will be maintained on the premises at all times, and a copy of this plan must be made available upon request of any code enforcement officer or police officer.
- Failure to conform to this plan will be considered a violation of the use permit.

Termination of the Plan

This plan shall terminate when the applicant's Use Permit terminates.

Enclosures

☒ Addendums attached

~~☐ No enclosures~~ *Jjm*

PSP APPROVED 012418 *Jjm*

APPLICANT/MANAGEMENT:

Name: AJ Jimenez

Address: 7340 E Indian Plaza, Scottsdale AZ 85251

Phone: 805-746-9500

Date: 03/27/2019

Signature: *AJ Jimenez*

APPROVED BY:

Detective:

Phone:

Date:

Signature:

CDR JOE LEOUC

480.312.8803

060419

for J. Miller

Jjm

March 18, 2019

RE: Conditional Use Permit:

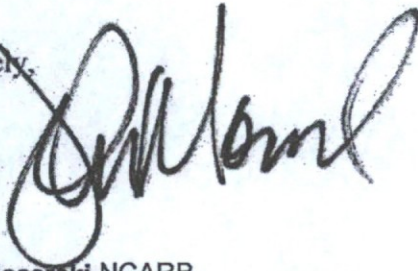
Project: Bottled Blonde Rooftop - Scottsdale
7340 E Indian Plaza, Scottsdale, AZ 85251

Dear Area Property Owner/ Home Owners Association:

This letter is being sent to notify you of a Conditional User Permit application filed with the City of Scottsdale Planning Division. LGE Corporation is requesting a Conditional Use Permit for Bottled Blonde Rooftop at 7340 E Indian Plaza, Scottsdale Arizona. The second floor addition to the site is a 1,975 S.F. (0.045 acre) on top of the existing patio exterior footprint. The Pre-application number 61-UP-97 #4 and 17-UP-12 #3. Currently zoned C-2. If you have any questions and or comments please feel free to contact the following:

John Mocarski, Project Director / Registered Architect at LGE Design Group by phone at 480-966-4001 or by email at Johnm@lgedesigngroup.com or Greg Bloemberg, Planner, City of Scottsdale by phone at 480-312-4306 or by email at gbloemberg@scottsdaleaz.gov.

Sincerely,



John Mocarski NCARB
Project Director / Registered Architect

O: 480.966.4001

M: 480.650.1590

740 N. 52 St., Phoenix, AZ 85008



Bloemberg, Greg

From: Steve <sriek4455@aol.com>
Sent: Thursday, April 04, 2019 9:53 AM
To: Bloemberg, Greg
Subject: Re: Bottle Blond addition

Greg

Thanks for getting back on this. Received a call from Les (Bottle Blond). Had a nice conversation regarding the "state of the state". Have less concerns now about his rooftop. He seems to be aware of the noise situation and contends they are not the " biggest" offender - and I take him at his word.

He admits there is an issue.

I wonder where we go from here.....

Steven Rieck
920.360.9474

> On Apr 4, 2019, at 8:31 AM, Bloemberg, Greg <GBLO@scottsdaleaz.gov> wrote:

>

> Good morning, Steve.

>

> Thank you for the feedback. The application has not been formally submitted, but that is anticipated to occur today. I will see to it your comments are added to the file.

>

> To answer your question, yes there is a noise ordinance. Click on the link below and scroll down to Chapter 19.

>

> https://library.municode.com/az/scottsdale/codes/code_of_ordinances

>

> Let me know if I can be of any further assistance.

>

> Regards,

>

> Greg Bloemberg

> Senior Planner

> Current Planning

> City of Scottsdale

> e-mail: gbloemberg@scottsdaleaz.gov

> phone: 480-312-4306

>

> -----Original Message-----

> From: Steve <sriek4455@aol.com>

> Sent: Thursday, April 04, 2019 8:19 AM

> To: Bloemberg, Greg <GBLO@Scottsdaleaz.gov>

> Subject: Bottle Blond addition

>

> Greg

> We live at 4422 N.75th St, unit 7002. We are not happy with the noise we currently experience coming from the area at night as it is now. We think that the main source is Bottle Blond. I certainly would not want to see them open up a second floor to only add to our problem.

> Is there a noise ordinance for the area of Scottsdale?

> Please reply
> Thanks
>
> Steven Rieck
> 920.360.9474

Bloemberg, Greg

From: Acevedo, Alex
Sent: Tuesday, April 16, 2019 2:45 PM
To: Bloemberg, Greg
Subject: FW: CASE 17-UP-2012#4

Saved in the CDS folder.

From: sally.settle@outlook.com <sally.settle@outlook.com>
Sent: Tuesday, April 16, 2019 2:41 PM
To: Acevedo, Alex <AAcevedo@scottsdaleaz.gov>
Subject: CASE 17-UP-2012#4



I am writing to object to this rooftop patio proposition. I already am kept up awake at night sometimes from the noise until 2AM from the rooftop bar at The W Hotel when the weather permits me to have my windows open at night. The police and the city do not seem to enforce the noise limitations set on that venue, so I would believe that this new rooftop venue would have the same latitude in producing excessive noise after 10pm. I have spoken to neighbors that said they quit calling about the W noise because it does no good. I wish the city would give the taxpaying homeowners the quiet enjoyment that we deserve. I bought a house over a mile away from the entertainment district on purpose, but it's not far enough due to lack of city enforcement of existing noise regulations. Please do not approve this, or any other outdoor rooftop entertainment venues with music after 10pm. Sally Settle 7714 E Pasadena Ave Scottsdale -- sent by Sally J Settle (case# 17-UP-2012#4)



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Bloemberg, Greg

From: Acevedo, Alex
Sent: Wednesday, April 17, 2019 8:25 AM
To: Bloemberg, Greg
Subject: FW: CASE 61-UP-1997#5

I saved it in the CDS folder

From: rsurface51@gmail.com <rsurface51@gmail.com>
Sent: Tuesday, April 16, 2019 4:38 PM
To: Acevedo, Alex <AAcevedo@scottsdaleaz.gov>
Subject: CASE 61-UP-1997#5



I strongly oppose any more outdoor music venues in that area. They are encroaching upon established neighborhoods, and negatively impacting quality of life. The existing venues are already stretching the limits, trying to play music as late and as loud as possible. I know of several residents who have complained about the loud music, and I have heard it too on numerous occasions. And I hear there will be another outdoor, poolside venue at the old Don and Charlie's site. Enough already!!! -- sent by Rosemarie Surface (case# 61-UP-1997#5)



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ATTACHMENT 7

